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Washington: 1962

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17 1962

CONSULAR BUREAU
MAY 18 1922

No. 29.

AMERICAN CONSULATE,

Aden, Arabia, April 4, 1922.

Office of Economic Adviser
MAY 26 1922
DEPARTMENT OF STATE

SUBJECT: The Political Situation in Abyssinia.

DEPARTMENT OF STATE
MAY 27 1922
DIVISION OF
WESTERN EUROPEAN AFFAIRS

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

MAY 25 1922
FILE - C E

Department of State,
MAY 1922
Division of
Political Information

DEPARTMENT OF STATE.
MAY 4 1922
DIVISION OF
NEAR EASTERN AFFAIRS.

1 Copy in NE

INDEX BUREAU
FILE

SIR:

FILE
MAY 27 1922 P

I have the honor to report that all the accounts received from Abyssinia continue to indicate that the position of the Abyssinian government is steadily growing worse. The Heir Apparent, Ras Tafari, has recently sent a large shipment of the crown jewels to an Aden merchant for safe keeping. Business concerns are continuing to close their branches in consequence of the general situation.

The Abyssinian Corporation, which has assumed a semi-political role, is continuing to function, although the losses which it has suffered through incompetent management and the trade depression are collossal. The British Minister has so far largely through his own personal efforts kept the concern in operation. All orders are approved by him before being placed. Under pressure from the Abyssinians he has recently been obliged to replace the company officials who were largely former army officers, by new men.

Reports from the Abyssinians themselves indicate a very great uneasiness as to the future of their country and a steadily deepening suspicion as to the integrity of their ruler.

According

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According to the account current among them, there has recently occurred among the representatives of Great Britain, France and Italy, a cordial repprochement, after a rather prolonged period of mutual aloofness. During the last three months their relations have been growing steadily more intimate. Frequent meetings between the ministers have been taking place. These meetings were known to the government, as well as the people. The government endeavored, however, to suppress the reports. As a result a temporary panic occurred among the Abyssinians, who conceived the idea that Ras Tafari, the Heir Apparent, had sold certain parts of Abyssinia to the British and French governments. It is possible that these reports may have their basis in the granting of a gold concession to an English company in the west and some so far fruitless negotiations on the part of the French for an extension of the railway to Jumma.

Whatever the basis it is reported that there was an almost complete cessation of business for several days. The merchant community refused to accept the Abyssinian currency and the government was obliged to issue a notice denying in toto any basis for the rumors. Confidence was not, however, in any way restored until the Emperor pledged his personal funds which were in the hands of G. M. Mohammedally & Company, which is probably the largest business concern in Abyssinia, as guarantee in case of any loss incurred by that company through political conditions, or through continuing to handle the Abyssinian currency. The rumors even now are continuing, however, and business is said to be badly demoralized and very timid.

During

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During the last month serious friction seems to have developed between Ras Tafari and the Commander in chief, Fituarari Hapta Giorgis. The latter has been posing as a friend ofcthe British, but it is not understood whether this has any connection with the estrangement between him and Ras Tafari. The real cause is not known but his calls on Ras Tafari have ceased, and the efforts of the Abunna or high priest to reconcile them have proved fruitless. This occurrence has still further disturbed the minds of the Abyssinians and there is a general feeling that the next few months will witness profound changes in the government and probably in the country.

I have the honor to be, Sir,

Your obedient servant,

Cecil M. Gross
American Consul.

File No. 800.

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OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

COPY OF AN ARTICLE FROM THE DAILY TELEGRAPH

of April 20, 1926.

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ABYSSINIA AND TANGIER.

From our Diplomatic correspondent

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The French Government would appear to have raised certain objections to the recent Anglo-Italian agreement relating to British and Italian interests and treaty rights in Abyssinia. It is doubted, however, whether these objections either can or will be maintained, inasmuch as France's own rights and interests under the 1906 Tripartite Treaty are in no wise affected, and as the Abyssinian Government, which is not only a Sovereign State but a member of the League, is quite capable of deciding for itself whether or no it will endorse the Anglo-Italian agreement. France is reminded by Rome of the way in which Italy was excluded by the efforts of French diplomacy from any participation in the Anglo-Franco-Spanish negotiations which led to the present unworkable Tangier statutes.

I understand, however, that Italy's claim to greater consideration at Tangier is not limited to a question of her proportionate share in its administrative machine. It is based, so it is stated in Italian circles, on the vital and far-reaching principle of foreign policy now laid down by Signor Mussolini that Italy, as the Mediterranean Power par excellence, cannot disinterest herself from any Mediterranean consideration or reconsideration. Tangier is one of the key positions at the Western entrance to the Mediterranean, and its status is therefore a matter/

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a matter in which Italy is vitally concerned. The predominance there of any single Power would be intolerable. It might, indeed, create a dangerous situation were Italy to be denied what she considers to be her rightful place in Moroccan waters.

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BY William Lescure DATE July 17, 1962

DOCUMENT FILE

NOTE

SEE 741.65/15 FOR #1006

FROM Great Britain (Sterling) DATED May 12, 1926
TO NAME

1—1127 G P O

INDEX BUREAU

1110.988

REGARDING: Anglo-Italian Agreement with regard to Abyssinia. Informs of rumors in regard to putting into effect a new kind of mandate under League of Nations for Abyssinia which would preserve its nominally independent territorial status and at same time permit of country's development.

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TRIPLICATE
No. 1006

London, May 12, 1926.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to reply to the Department's instruction No. 502 of April 27, 1926 in which reference is made to recent negotiations between the British and Italian Governments in regard to Abyssinia.

The reported conclusion of certain arrangements supplementary to the Tripartite Agreement of 1906 between France, Great Britain, and Italy was referred to on pages 10 to 12 of the Embassy's Weekly Report of

April/

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April 26, 1926. Added interest has been given to these reports at the present time owing to the fact that the Italian Prime Minister has recently made a number of speeches in which he refers to the need of Italy for colonial expansion.

Certain Liberals in this country, particularly those of a radical tinge, have referred to recent developments as another step in the game of colonial expansion. They neglect to state, however, just what advantage would accrue to any of the parties to the Tripartite Agreement in the way of additional expansion in this territory, and they also seem to ignore the fact that France would necessarily have to be a party to any change in the status of Abyssinia.

There has also been a certain amount of vague talk here in irresponsible quarters in regard to the possibility of putting into effect a new kind of mandate ander the League of Nations for Abyssinia which would preserve its nominally independent territorial status, and would at the same time permit of the country's development.

These rumors and reports are simply quoted for the Department's information, and there seems no reason to suppose that any such far-reaching plans are contemplated. Several questions have been asked in the House of Commons in regard to the reported supplementary agreement, and the substance of the Government reply has been that the 1906 Agreement is simply being implemented to make certain technical changes in the interest of the practical development of the spheres of influence already provided for.

In a semi-official way it has been given out that any agreement reached is naturally subject to the consent

of/

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of the Abyssinian Government, and it is pointed out that this effectively answers the charge that there is any encroachment on Abyssinian sovereignty.

A report is current that the French Government is trying to bring influence to bear on Abyssinia to refuse its consent to the recent Anglo-Italian Agreement unless France receives compensatory privileges in the French sphere of influence or elsewhere.

A reference to British plans in this part of the world, with particular reference to the use of the waters of Lake Tsana as an irrigation reservoir for the Sudan, was made in the Embassy's despatch No. 448 of June 3, 1924, and No. 605 of July 23, 1924. The despatch last referred to was written at the time Ras Tafari, Prince Regent of Ethiopia, was making an official visit to London.

As of interest to the Department in this connection I am enclosing herewith copies in triplicate of questions and answers in the House of Commons on this subject, and a number of other pertinent leading articles which have appeared in the British press which discuss the situation in Abyssinia at great length. The articles in the MANCHESTER GUARDIAN are of particular interest, as they discuss the subject from the Liberal Opposition point of view.

I have the honor to be, Sir,

Your obedient servant,

For the Ambassador:

Enclosures:
See list attached.

F. A. STERLING
Counselor of Embassy.

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LIST OF CLIPPINGS

PAPER	DATE	CAPTION
The Nation & The Athenaeum	May 1st	ABYSSINIA THE NEXT VICTIM OF THE IMPERIALISTS.
Manchester Guardian	Apr 20	ITALO-BRITISH PLANS ON ABYSSINIA.
Manchester Guardian	Apr 20	SPHERES OF INFLUENCE.
Manchester Guardian	Apr 19	NEW COLONIAL PROBLEM.
Manchester Guardian	Apr 22	ABYSSINIA. BRITISH AGREEMENT WITH ITALY.
Daily News	Apr 16	SUDAN WATER SUPPLIES.
The Outlook	May 1st	-------
Daily News	Apr 19	SUDAN WATER SUPPLY. CONTROL OF THE BLUE NILE.
The Times	Apr 17	ECONOMIC INTERESTS IN ABYSSINIA.
Daily Telegraph	Apr 20	ABYSSINIA AND TANGIER.

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CLASSIFICATION CANCELED AUTHORITY LETTER OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T BY William Lescure DATE July 17, 1962

NUMBER

PAPER: THE NATION

DATE: May 1, 1926.

CITY: LONDON

INDUSTRY AND THE INCOME-TAX

IT is fashionable to assume that taxes, like the income-tax, are a serious handicap to industry. Trade depression is attributed to the high level of direct taxation, and if trade is more active in France or Italy or some other country, the explanation usually given is that taxes are lower there than here. Mr. Snowden, on Tuesday, ventured to challenge this doctrine, stating it as in his view incontrovertible that "income-tax, falling on profits, unlike local rates, is not a burden on industry." To Mr. Ronald McNeill, Mr. Snowden's contention came as a startling paradox, which he evidently thought had never been advanced before.

> "I am a very humble-minded man," said Mr. McNeill, "and I want to learn from the right hon. Gentleman, but it is a startling proposition. I was brought up to believe the contrary; most of us have been. Almost every book on economics and taxation that I have read has taught me the opposite."

Mr. McNeill must have been comforted by an elaborate restatement of the conventional doctrine which followed later from Mr. Hilton Young:—

> "To what is the depression of trade due? It is due to the high cost of production which is the natural consequence of over-taxation. To what is the struggle to maintain a standard of living among the wage-earners due? Again it is due to this great and universal evil of over-taxation which causes unemployment. . . . By over-taxation we are led into a vicious circle. That is, one in which high taxation produces subsidies and subsidies produce, in their turn, high taxation."

Now Mr. Snowden's proposition was no fantastic eccentricity; it does not run counter to a consensus of economic authority; in its broad outline (and Mr. Snowden admitted later the need for qualification) it is, in our view, sound. It represents, that is to say, the larger part of the truth. Many people are led astray on this matter by a simple confusion. They think of the money they have had to pay in income-tax, and they reflect that, if it had not been taken from them, they would either have spent it or invested it or used it to extend their business, helping in one or other of these ways to increase the demand for commodities and for the labour required to make them. They ignore the fact that the Government, after all, does something with the money. It too spends it, whether wisely or unwisely, whether on armaments or social services, in ways that lead directly or indirectly to a demand for labour. In short, this particular objection to taxation, which rests on the reduction of spending-power, is a complete fallacy, for there is no reduction, but merely a transference of spending power. It is a fallacy which cancels out with its opposite number that a random increase of Government expenditure is positively good for trade.

It does not follow that taxes are no burden to industry because they are spent. They may be a burden because they are spent unwisely. Mr. Snowden's opponents imagine that the facts are on his side. Taxation has been high since the war; and trade has been bad. That seems to him conclusive. The state of trade, this was virtually Mr. Hilton Young's argument, *proves* that we cannot afford an £800 million Budget. Here we see how false ideas take root, and grave practical mistakes may result, owing to the persistent tendency to ignore the effects of currency. After all, if we are to appeal to facts, to what moral do they point? Mr. Churchill did not increase the income-tax last year. He reduced it. At the same time he did another thing. He restored the gold standard. It is possible to argue that this step was a wise one on a balance of considerations; it is not possible to argue that it did not add to the difficulties of the export trades, which are precisely those whose state is serious to-day.

It is not our purpose now to discuss the gold question, or to answer Mr. Churchill's references to the subject, a task which was admirably performed by Mr. Pethick-Lawrence. But we make this observation. It is often said that the step having been taken, it is no use complaining of it now. No; but there is great need to recognize its effects, in order that we may not attribute them falsely to other causes, and, thus deluded, pursue a retrograde economic policy, calculated to embitter class-feeling and to provoke a dangerous reaction.

ABYSSINIA

THE NEXT VICTIM OF THE IMPERIALISTS

By Lieut.-Commander J. M. KENWORTHY.

SIGNOR MUSSOLINI has informed the Italian people that their future lies in Africa. These lectures have caused a greater, or less, degree of alarm and uncertainty in France and Britain as the principal possessors of the parts of Africa not yet held by the Italians. But the cat has been let out of the bag by the news of the "conversations" between the British and Italian Governments concerning the future of the last independent African State. Abyssinia, having survived the European scramble for territory in Africa in the closing years of the last century, has become a full member of the League of Nations. Christianity, also, was introduced into the country in the third century A.D., and has flourished there ever since. And although Moslem missionaries have from time to time penetrated the country and made converts, there have been no European missionaries to suffer wrong and furnish a convenient excuse for invasions of Abyssinian territory.

But although Christian, the Abyssinian Government is not of the beneficent nature of, for example, the Italian Government. Nor is it an autocracy like the Spanish Government. A case could therefore be made out for imposing the blessings of Fascist rule on the Abyssinians if Italian arms can reverse the defeat of Adowa of thirty years ago, the League of Nations itself be bamboozled or coerced, and Sir Austen Chamberlain's remaining scruples overcome.

In 1906 an agreement was entered into between France, Italy, and England, foreshadowing the present situation, and with the usual talk of spheres of influence. And as this agreement solemnly bound all three Powers concerned "to maintain intact the integrity of Ethiopia," we may be quite certain it was a prelude to the final conquest, annexation, and partition of that country. Whenever strong Powers bind themselves to maintain the integrity of weaker neighbours it is always taken in the other Chancelleries of the world to mean that they have marked out the spoils for division amongst themselves and are warning off all other plunderers. The stories of Persia, Morocco, and Korea are recent examples.

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indeed, it is becoming the traditional policy of Downing Street to satisfy restless, aggressive, thrusting Powers by gifts of other people's property. Did we not attempt to buy off Russia by granting her a sphere of influence in, and virtual possession of, Northern Persia? Was it not seriously contemplated giving the Portuguese African Colonies to Germany before the War? And so, as Signor Mussolini is determined to distract attention from internal affairs in Italy by Imperialistic adventures in Africa, it is in accord with the new tradition to offer him the territory of a fellow-member of the League of Nations! When the final negotiations are concluded and the division of the spoils decided upon, the solemn farce of depositing the public items of the agreement with the Secretariat of the League of Nations will, of course, be enacted.

For this will be the final outcome. *Unless the French veto is effective*, Italy will be given leave to construct a railway joining her poor, barren colony of Eritrea with her even poorer and more barren colony of Somaliland through Abyssinian territory. The rest will follow according to plan. If Abyssinia ventures to object, so much the worse for her. The Abyssinians, especially the mountaineers, are good fighters; but when they handsomely defeated the Italian armies at Adowa, aeroplanes and poison gas were not yet the recognized weapons of civilization.

As for England, we shall be satisfied if the northern part of Abyssinia through which flow the upper waters of the Blue Nile is placed under our tutelage. This is important from the point of view of the irrigation of the Sudan, and, but for Italy, we might be content with an economic concession for the control of these waters without too great an infringement of Abyssinian sovereignty. A further great irrigation scheme has been worked out in connection with Lake Tsana, and plans for it have long been pigeon-holed in the British Foreign Office.

The country is a rich prize. Its population is about five millions, excellent coffee is produced, some of which finds its way across the Red Sea to be sold as Mocha coffee from Arabia, the mountain districts are healthy, and gold, silver, iron, and coal are found in considerable quantities. No signs of petroleum deposits have been found, so America can hardly be appealed to to safeguard the liberty of the last independent people in Africa. The Government is admittedly weak, and there is a real grievance felt by the British nation in the continued raiding for slaves from Abyssinian territory, to the hurt of tribes under British protection in both Kenya Colony and the Sudan.

These slaves find a ready market in Arabia, but to reach the shores of the Red Sea for conveyance to the Arabian slave markets they must pass through French and Italian territory. To put it no worse, there has been laxity on the part of the Italian and French local officials in permitting this traffic, but that need not prevent the interested Powers from making use of the pretext for the extinction of the independence of Ethiopia. The stage therefore is set for the partition of an independent kingdom, with the usual preliminaries of economic penetration, railway construction, spheres of influence, &c. Eastern Christians are the special concern of Britain when oppressed by the Turks, but apparently African Christians are in a different category and would appeal to the English Bishops in vain.

There is one defect in this beautiful picture. France also has interests in Abyssinia; and to-day French nationals control the only railway, the Central Abyssinian Railway, giving access to the sea through French Somaliland. Apparently Sir Austen Chamberlain and the Duce have forgotten France. But the semi-official TEMPS has been making it clear recently that France intends to uphold the sanctity of Treaties and actually proposes to take seriously the pledges of twenty years ago concerning the integrity of Abyssinia. This will be an awkward fence to get over, and France is in an even stronger position as Abyssinia was her special protégé for entrance to the League of Nations. If, however, France can be compensated in other directions, her opposition may be overcome.

Three plans for the future are understood to hold the field. One is to declare that the Ethiopian State requires tutelage and to appoint Italy as the Mandatory Power. If the situation is handled skilfully this may salve the consciences of the other members of the League, otherwise prepared to protest. The second is to place Abyssinia under the control of a League of Nations Commission, the members of which would, of course, be Italians, Frenchmen, and Englishmen. This plan might work provided the three Powers concerned could agree about the proposed spheres of influence. The third, and more brutally honest plan, is the old doctrine of might being right put into practice by the carving up of the hitherto independent kingdom of Abyssinia by the three Powers concerned. If any one of the above three plans is carried out in face of the inevitable opposition of the Abyssinian people themselves it will be as great a scandal as the partitions of Poland.

There is a fourth plan which the British public should insist upon as the only decent alternative. It is that Abyssinia should be left alone to work out her own salvation. The slave trade can be prevented by suitable measures, especially if it is made unprofitable by the countries that bar Abyssinia from the sea preventing that traffic through their territory.

All this talk of spheres of influence and economic penetration had better be abandoned. The miserable bargaining and huckstering for other people's property was the feature of the Imperialism of last century. We all know where it finally led us. If it is revived to-day in Abyssinia, the British Government will stand convicted of tearing up a solemn Treaty as surely as Germany was when she invaded Belgium in 1914; and, in very decency, Sir Austen Chamberlain, on behalf of the British people, should offer an apology to Herr Stresemann for our ever having upbraided Germany for referring to a Treaty as a "scrap of paper."

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BY William Lescure DATE July 17, 1962

PAPER: MANCHESTER GUARDIAN

NUMBER

DATE: April 19, 1926.

CITY: LONDON.

NEW COLONIAL PROBLEM.

State of Abyssinia.

3-POWER MEMORIAL TO THE LEAGUE.

Mussolini's Ambitions.

(From our own Correspondent.)

PARIS, SUNDAY.

The British Foreign Office's admission that an arrangement has been reached with Italy for mutual recognition of spheres of influence in Abyssinia elicits two French reminders. The first is that, thanks to France, Abyssinia is a member of the League of Nations, with all the rights appertaining thereto. She has the right, therefore, to demand the aid and protection of the League against any attempt, direct or indirect, calculated to affect her political or economic independence. The second is that London and Rome must not ignore the rights of France under the Anglo-Franco-Italian treaty of 1906 defining the interests of each of these Powers in Abyssinia.

These reminders, however, are probably only a matter of form. Paris is thoroughly well aware that the vague phrase "sphere of interest" merely covers a British precaution against any interference, whatever happens, with the flood waters of Lake Tsana, so necessary for the Sudan and Egypt. Nor is it unknown that Abyssinia's membership of the League has been taken into account and that her willing assent is calculated upon if the question arises of assembling for the aid of a European Government in putting her church house in order by virtue of a new promotion of a "mandate." So far is France from being ignorant that at the next meeting of the Council in Geneva she will probably be found to be associated in what may perhaps be described as the first step in this diplomatic play—the presentation of a memorial by the three Powers upon the real state of affairs in Abyssinia and the weakness and incapacity of the Government at Addis Ababa to fulfil its international obligations.

Another Veto for Germany.

Signor Mussolini's determination to insist upon "a place in the sun" for Italy in Africa no longer seems to cause serious misgivings here. It is not seriously supposed that he has his eye upon any French possessions in North Africa, though it is clear that he is watching very carefully the course of Riff negotiations with the intention of securing Italy's interests should there be as a consequence of these negotiations any change in the political status quo in the North Moroccan littoral, say, by way form of a Franco-Spanish protectorate with joint military control of the coast. But there is no [illegible]

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[illegible] any change in the political status quo in the North Moroccan littoral, say, any form of a Franco-Spanish condominium with joint military control of the tribes. But then, in the face of such a new fact, London, too, could not rest indifferent.

What really is behind this spectacular demonstration of Signor Mussolini's? In French eyes it is this: That, despite the Locarno promise, Italy will veto the grant or transfer of any colonial mandate to Germany unless at the same time her own Imperialist ambitions are satisfied. Brazil has set the precedent. To-night's "Temps" gloats over the prospect. "German interests," it says, "are in collision with Italian interests in the colonial field, just as they are in Central Europe. There is a *de facto* solidarity in the Mediterranean, as on Continent, between France and Italy, which neither of the two countries can ignore without danger. True, this solidarity has yet to find its formula; yet it has a solid moral and political base in the recognised fact that the agreement of France and Italy is necessary to assure in Europe and throughout the world the future of the Latin idea, that Latin idea which has ever been and still is, that of the greatest civilisation."

Thus Signor Mussolini's demand for a Latin anti-German Bloc is re-echoed by the principal semi-official organ of Paris.

SILENCE IN ITALY.

(From our own Correspondent.)

ROME, SUNDAY.

Complete silence is preserved here regarding the alleged Italo-British conversations for a definition of spheres of influence in Abyssinia. The only Rome paper which reproduced the statements of the London press was sequestrated this morning—namely, the "Popolo di Roma."

The Duce, on his arrival in Rome last night received an ovation of the customary type, and showed himself to the crowd in the Piazza Colonna. His face was unbandaged.

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BY William Lescure DATE July 17 1962

NUMBER:

PAPER: MANCHESTER GUARDIAN

DATE: April 20, 1936.

CITY: LONDON

ITALO-BRITISH PLANS ON ABYSSINIA.

Grounds of French Concern.

AFRICAN FIELDS FOR ITALIAN AMBITIONS.

Mandatories and Their Rights.

(From a Special Correspondent.)

LONDON, MONDAY.

The messages from Paris seem to indicate that the Italo-British discussions about Abyssinia have made a deep impression on French official opinion. It is clear that there is some misconception in Paris. The discussions which have been taking place between Rome and London arise out of the first two paragraphs of the tripartite agreement of 1906, which regularise the economic interests of France, Italy, and Great Britain in Abyssinia. They have been taking place on and off since 1906. The particular phase of the present discussions is due to the peculiar nature of British interests in the north and of Italian interests in the south.

What has taken place is that Italy has now recognised the fairness of British water rights over Lake Tsana, on which the water supply of the Sudan is largely dependent, and Great Britain has recognised the fairness of certain Italian claims on the Abyssinian-Somaliland frontier. It is claimed by Italy that the full economic development of Somaliland cannot take place if schemes of development have to stop short at the frontier. There is no object, for instance, in building roads to the north if they are to stop at the frontier.

France, as one of the tripartite signatories of 1906, is entitled to be informed of what is taking place between Italy and Great Britain, and will be informed in due course. When French opinion emphasises the rights of Abyssinian sovereignty it forces an open door, because those rights have never been called in question. Abyssinia is a member of the League, and if and when any definite agreement is reached about British and Italian economic interests the text of such an agreement will be registered at Geneva. Such an agreement would be reached with the Emperor of Abyssinia and with French concurrence.

An Odd French Suggestion.

The whole purpose of the present discussions is to avoid the type of Oriental diplomacy which generally long-standing grievance of which probably much more will be heard at Geneva next June. This slave traffic, largely destined for Arabia and passing through French-Italian territory, would not be possible at all if the Paris and Rome Governments did their duty.

Portugal already seems to have taken alarm, and there is talk of a reforming mission shortly being sent out of Lisbon to try to bring order into what incontestably is a state of chaos. The question naturally suggests itself, as with Abyssinia, whether Portugal's burden is not too great for her, and whether the League might not be driven to devise a new form of mandate applicable to such cases. There is no need to stress the ease with which such a League policy would fit in with Italian and German ambitions.



There has been much talk of re-transferring French mandates over Togoland and the Cameroons back to Germany in fulfilment of the Locarno pledge. Such a re-transfer Italy would be sure to veto unless her own desires were simultaneously satisfied. Her right of veto is based upon article 119 of the Treaty of Versailles, whereby the former German colonies are handed over, not to the League nor to their present mandatories, but to the Allied and Associated Powers collectively—that is to say, including Italy. In fact, no definite theory has yet been worked out of the juridical meaning or the origin of mandates, of the residual sovereignty therein, or of the League's relation thereto.

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An Odd French Suggestion.

The whole purpose of the present discussions is to avoid the type of Oriental diplomacy which generally arises when two Western Powers simultaneously but separately deal with an Eastern potentate.

The precise purpose of French concern about Abyssinia at the moment is a little obscure. The fullest appreciation is felt of French services towards bringing Abyssinia into the League, and the French point about Abyssinian sovereignty is fully endorsed here. The odd thing is the suggestion that comes from certain quarters in Paris that Abyssinia should be placed under a French mandate. Such a thing is not only unnecessary, but the suggestion conflicts with the argument about Abyssinian sovereignty and League membership.

SUGGESTED MANDATE FOR ITALY.

(From our own Correspondent.)

PARIS, MONDAY.

Signor Mussolini's loudly proclaimed colonial ambitions continue to be discussed from every possible angle, but little that is new is elicited. Africa is occupying the European chancelleries; that much is certain. The other certainties are—(1) that Italy is taking a very lively interest in Abyssinia as well as in the Eastern Mediterranean; (2) that the Locarno Powers have promised Germany a mandate in Africa if and when the chance arises.

Italian troops have unexpectedly occupied the valley of the Nogal, in the northern part of Italian Somaliland, not far from the Abyssinian frontier. For a moment it was assumed that this meant the establishment of a military base for future action against Abyssinia. A glance at the map, however, destroys this hypothesis, for it reveals the existence of an uncrossable desert barrier. Now that the British, by arrangement with Italy, have safeguarded the flood waters of the Blue Nile from Lake Tsano, it is presumed that no objection exists any longer on their side to Italian aspirations. Force being eliminated as much by Abyssinia's membership of the League as by physical difficulties, the only hypothesis that remains is that of the grant of a new kind of mandate over Abyssinia.

Abyssinian Slave Raids.

A few days ago a Fascist paper, the "Impero," spoke of large rich areas in Africa being in weak, incapable hands—a reference which "Pertinax" oddly misconstrues this morning as being addressed to France. In reality, the reference is applicable to Abyssinia and the Portuguese colonies, where government can hardly be said to exist, and where intolerable abuses exist. Abyssinian slave raids, sometimes on a grand scale, into neighbouring British and other territories are a [illegible] worked out of the juridical meaning of the origin of mandates, of the residual sovereignty therein, or of the League's relation thereto.

Franco-Italian Negotiations.

The Anglo-Italian agreement over Abyssinia is taken by M. Auguste Gauvain in the "Débats" as a clear proof of Italy's desires. Yet for the reasons give above he perceives that Italy is precluded from having designs upon Abyssinian sovereignty, which, by the way, would rest intact under the extended conception of the mandate that I have mentioned.

Both Rome and London are now engaged in negotiations with Paris about Abyssinia, as they are bound by the tripartite treaty of 1906 to obtain French consent to any arrangement. In principal M. Gauvain is not hostile to Italian ambitions, but he is against any unnecessary surrender of French rights. Immediately after the war Italy tried to induce France to hand over to her the colony of Jibuti and the French railway from Jibuti to Addis Abbaba, the Abyssinian capital.

"Nothing would appear," he adds, "to justify such an abandonment of a French colony and a French public work; moreover, our presence in this region is a guarantee of Abyssinian independence. Yet that is no reason why France should prevent any other Power in their turn from building railways into Abyssinia. We are convinced that Italy's colonial policy can perfectly well fit in with ours, provided there is no aggressive afterthought and that none of our vital interests are attacked."

ITALIAN STATEMENT.

Respect for Abyssinian Sovereignty.

(From our own Correspondent.)

ROME, MONDAY.

Beyond vague rumours which began to circulate some weeks ago nothing was known about the Abyssinian accord till yesterday, when articles from the British press were reproduced by the "Popolo di Roma," which paper, however, was promptly sequestrated. To-day the entire press prints an official statement which professes to reduce the whole affair to modest dimensions.

First, it is pointed out that the negotiations are proceeding with the full knowledge of the French and Abyssinian Governments, and are of a purely economic character; secondly, they are derivative from the agreement of 1906, and cannot therefore constitute a surprise for the Abyssinian Government; thirdly, the realisation of economic concessions will in no wise modify the fullest respect for the sovereignty of the Ethiopian Empire.

Among the meagre newspaper comments may be mentioned that of the "Giornale d'Italia," which says the significance of the negotiations consists in the reaffirmation of general cordiality between the two countries. Their co-operation is, however, not directed towards any particular objective, nor against Ethiopia or any other third party. To speak of partition is quite out of place. The [illegible] comments are more paraphrases of the communiqué.

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

PAPER: MANCHESTER GUARDIAN

NUMBER:

DATE: April 30, 1926.

CITY: LONDON

Spheres of Influence

Abyssinia, with an area twice the size of Germany and richly endowed resources, offers a standing temptation to three Powers—Great Britain, France, and Italy,—who hold all the surrounding territory. But only once has her independence been seriously challenged, with results disastrous to the Italian army which undertook it and which suffered the bloodiest defeat ever inflicted upon soldiers by native troops. The absolute independence of Abyssinia, which the Italians were forced to recognise in 1896, has never since been forcibly challenged. But the Emperor Menelek, who then signally asserted his sovereign rights, was fully alive to the possibilities of exploiting his country through foreign agencies, and granted railway and other concessions to French, British, and Italian interests. The usual complications followed, and in 1906 a tripartite Convention was signed between those three Powers, which, while pledging them to maintain the "integrity" of Abyssinia, also bound them to recognise each other's rights over existing concessions and not to push future claims to the disadvantage of each other. In language which was doubtless intentionally obscure the Convention also recognised certain parts of Abyssinia as spheres of interest—that is to say, as areas in which one or other of three of the Great European Powers enjoyed a privileged position as compared with the other two. In all this there was nothing unusual. It was, in fact, typical of the methods by which the Great Powers at that time sought to regulate their conflicting ambitions without coming to loggerheads with one another and without too obviously or suddenly encroaching upon native rights. In the course of time circumstances could be trusted to give them an opportunity to convert a "special interest" into a more definite title of ownership, and perhaps of ultimate sovereignty.

That was the old method, and it is perhaps fair to add that there was not at that time any other machinery by which the restless imperialism of the Great Powers could be satisfied without provoking a clash between them. It was a choice between forcible repartition and at least the appearance of ordered "development." But it is a different matter if the Great Powers intend to pursue the same policy to-day and to exercise the absolute validity of pre-war Conventions which contemplate the ultimate division between them of territory belonging to others. The news that Great Britain and Italy have further defined the spheres of influence which they enjoy over Abyssinia under the Convention of 1906 raises the question for the first time in an acute form. It is not clear that has arisen by reason of Signor Mussolini's recent speeches claiming a larger colonial future for Italy in Africa. The purport of these speeches and their exciting effect on [illegible] has not been

economic nature" which Italy and Great Britain "had long demanded from the Abyssinian Government," and which "were envisaged in the tripartite agreement of 1906." But that agreement has no validity as against Abyssinia. It was a prospective allotment of the spoils to which Abyssinia was not a party. And by what kind of pressure are those demands now being backed? If Abyssinia were a mandated territory the League would have to safeguard the well-being of its people. Its development would become "a sacred trust of civilisation." The obligations of the League towards one of its members can hardly be less than its obligations towards a mandated territory. Yet it seems to be assumed that in virtue of an agreement concluded before the war and allocating special rights to themselves in territory over which they had no legal claim the Great Powers can now proceed, with only formal reference to the League, to the first step in the dismemberment of a country whose integrity and independent sovereignty they profess to uphold.

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future for Italy in Africa. The purport of these speeches had been raising lively speculations, but the Anglo-Italian Convention doubtless supplies the authentic key. Abyssinia is to be the first outlet for Signor Mussolini's imperialistic ambitions. And our own Government is to be the sleeping partner, seeking, no doubt, partly to placate Signor Mussolini and partly to control the Blue Nile waters, which flow through some hundreds of miles of Abyssinian territory. In the sacred name of development each country is to give the other a free hand in dealing with somebody else's property. Where, then, does France come in? France, of course, will not be forgotten. She will perhaps get her price in the hinterland of French Somaliland. And where does the League of Nations come in? Not much difficulty seems to be expected there either. The League, it seems, is to be presented with a memorial explaining the incompetence of the Abyssinian Government and the ready welcome it will give to foreign "protection."

Abyssinia is not only a sovereign State but a member of the League of Nations. She has, therefore, the right to appeal to the League against any threat to her integrity. But if she chooses to forgo this right and to acquiesce in what will amount to a limitation of her sovereignty (although this intention is, of course, officially denied) it certainly will be difficult for the League of Nations to intervene. The broad result may be much the same as if the League of Nations did not exist, and the old scramble for African possessions may be renewed by the Great Powers under the forms of the League with almost the same dangers to themselves as they ran before the war and certainly with no less to the native States of Africa. But the League of Nations can and ought to see to it that the Abyssinian Government really makes a free choice and is not being cajoled or browbeaten into giving away what it does not want to give. A Reuter telegram which we publish to-day speaks of the "concessions of an

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Clipping from MANCHESTER GUARDIAN

April 22, 1926.

ABYSSINIA.

BRITISH AGREEMENT WITH ITALY.

PUBLICATION "IN DUE COURSE."

In the House of Commons yesterday, Lieutenant Commander KENWORTHY (L. - Hull) asked the Secretary of State for Foreign Affairs whether negotiations have been in progress between the Italian Government and His Majesty's Government with regard to certain Abyssinian matters, including the future irrigation of the Sudan from the waters of the Blue Nile, and what is the nature of these negotiations and their object.

Sir A. CHAMBERLAIN: Yes, sir. His Majesty's Government and the Italian Government have for some time been seeking to establish a clearer definition of their respective interests in Abyssinia under the Tripartite Agreement of 1906 and previous treaties, and have embodied the result of their discussions in an exchange of Notes, the text of which will be registered with the League of Nations in due course.

Commander KENWORTHY: Surely the Agreement of 1906 is rendered obsolete by the adhesion of Abyssinia to the League of Nations?

Sir A. CHAMBERLAIN: Not merely in form but in substance. That is another question.

Commander KENWORTHY: Did not the adhesion of Abyssinia to the League of Nations make any difference to the attitude of this country to the spheres of influence?

Sir A. CHAMBERLAIN: I do not accept the hon.member's definition, but I will ask him to put down a further question.

Commander KENWORTHY: May we have the final agreement reached with

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with Italy in this matter?

Sir A. CHAMBERLAIN: In due course.

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BY William Lescure DATE July 17, 1962

PAPER: DAILY NEWS

NUMBER

CITY: LONDON

DATE: April 16, 1926.

SUDAN WATER SUPPLIES.

ANGLO-ITALIAN PLANS.

REPORTED DESIGNS ON ABYSSINIA.

Important negotiations are taking place between the British and Italian Governments on the subject of their respective interests in Abyssinia.

These negotiations, of which no official disclosure has been made, are creating a distinctly unfortunate impression on the Continent. Currency has there been given to reports, mostly of Italian origin, which call for an immediate statement by the Foreign Office.

It is being openly suggested that the principal object of the negotiations is the partition of Abyssinia between Italy and Great Britain.

There is nothing whatever in the known facts to substantiate this allegation, but there is plenty to arouse fears that the setting up of "spheres of interest" is in contemplation.

SUDAN WATER.

The heart of the matter is the water supply of the Sudan. British irrigation schemes in the Sudan depend largely for their fulfilment on the waters of Lake Tsana, which is situated in Northern Abyssinia, and from which the Blue Nile takes its rise.

A British project for constructing works in connection with the Tsana water has been in existence for a long time, and was among the matters discussed when Ras Taffari, the Abyssinian Prince Regent, visited London in 1924.

Abyssinia, however, is the subject of an agreement between Great Britain, Italy, and France, signed in 1906, and Italian (and French) sanction is necessary before the scheme can be proceeded with.

ITALY'S DESIRES.

Italy, it is understood, is making demands of her own, and it is on this aspect of the case that light is needed.

Sir Austen Chamberlain's interview with Mussolini at Rapallo, the discussions which took place in London

[redacted]

simultaneously with the recent definitive settlement, and, not least, the remarkable secret terms on which that settlement was concluded have already given rise to the gravest suspicion of active hostility [illegible] [illegible] and these ought to be jointly noted.

Abyssinia is an independent country and a member of the League of Nations. Italy, France and Great Britain are pledged to endeavour to maintain its integrity. The attention which the German Press is paying to the Anglo-Italian talks is to [illegible] a sufficient argument for bringing them into the daylight.

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BY William Lescure DATE July 17 1962

NUMBER

PAPER: THE OUTLOOK

DATE: May 1, 1926.

CITY: LONDON.

A DECLARATION on Italian colonial policy by an Italian editor is an interesting, but not necessarily an important event. But when that editor happens to be the brother of Signor Mussolini, and the two men are known to be in daily telephonic communication, a definite statement on the direction which Italian overseas expansion will probably take becomes a matter of European concern.

* * * *

"WE must have colonies; we must have territories suitable for colonisation," says Armando Mussolini. "It is not a hobby of ours, nor a caprice; nor even Imperialism. It is simply the instinct for survival." Assuredly it will not be in England that any difficulty is found in understanding that attitude—the words might have been spoken by Raleigh or Gibbon Wakefield. Italy, like England, is overcrowded, and must emigrate her surplus population, or starve. The question is, where?

* * * *

ON this matter the brother of the Duce is unexpectedly explicit. He suggests Albania, "a comparatively rich country possessing oil"; Syria; Smyrna; and eventually Tunis as an addition to Tripoli. He points out, frankly enough, that France has no surplus population, and will therefore never colonise Syria; and that Smyrna was promised to Italy in 1916, but eventually given to Greece, which could not hold it.

* * * *

IT will be interesting to hear French comments on this programme. Paris would certainly have preferred that Italy should cast her eyes on South America or Dalmatia rather than Tunis, and perhaps even Tunis rather than Syria. It is quite true that France will never be able to colonise Syria, but in spite of recent events in Damascus she still hopes to rule that unruly country. The Italian expansionist movement is likely to evoke reactions among nervous neighbours.

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CLIPPING FROM THE "DAILY NEWS"

Of April 19, 1926.

SUDAN WATER SUPPLY

CONTROL OF THE BLUE NILE.

The discussions between Great Britain and Italy on the subject of Abyssinia, to which attention has been directed in the "Daily News", have now been extended to France.

From statements made in the French Press it would appear that agreement has already been reached between London and Rome. No official announcement of that interesting fact has been made here, but Reuter learns that the text of the agreement has been sent to Paris, and that "certain questions of detail" are now under consideration by the three Governments.

Italy, according to Reuter, recognises the exclusive right of Great Britain to deal with the waters of Lake Tsana (from which issues the Blue Nile), while Britain agrees not to oppose any Italian scheme for railway development in the hinterland of Eritrea or Italian Somaliland which may affect Abyssinia.

Meanwhile Sir William Tyrrell, Permanent Under-Secretary at the Foreign Office, has gone to Rome. He left London on Thursday last and arrived in the Italian capital on the eve of Signor Mussolini's return.

The object of his visit is not stated, but it may be assumed that the Abyssinian question will be discussed by him with Signor Mussolini.

H.R.

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CLIPPING FROM "THE TIMES"

Of April 17, 1926.

ECONOMIC INTERESTS IN ABYSSINIA.

- - - -

ANGLO-ITALIAN AGREEMENT.

The British and Italian Governments entered into an agreement some time ago to define in a more precise manner their economic rights in Abyssinia in accordance with the agreement of December 13, 1906, between Great Britain, France, and Italy. The British Embassy in Paris has communicated the text of the new agreement to the French Government. As Abyssinia is a member of the League of Nations the agreement when ratified will be filed with the League Secretariat at Geneva.

Under the new agreement Italy recognises the exclusive right of Great Britain to deal with the waters of Lake Tsana---whence issues the Blue Nile---as provided for in the Anglo-Abyssinian Agreement of 1912, while Great Britain agrees not to oppose any Italian scheme for railway development in the hinterland of Eritrea or Italian Somaliland, which may affect Abyssinia. The French Government has raised certain questions of detail in connexion with the new agreement, which are now being dealt with.

By the agreement of 1906 the High Contracting Parties agreed to cooperate in maintaining "the political and territorial status quo in Ethiopia," and by article IV. agreed to safeguard their special interests, namely:-

(a) The interests of Great Britain and of Egypt in the basin of the Nile and especially in regard to the regulation of the waters of that river and of its affluents;

(b) The interests of Italy in Abyssinia in regard to Eritrea and Somaliland and especially in regard to the hinterland of these possessions and to communications between them by land to the west of Addis Abeba;

(c) The interests of France in Abyssinia.

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DEPARTMENT OF STATE
V.G. ow.
DIVISION OF
NEAR EASTERN AFFAIRS

NO. 208

AMERICAN CONSULATE,

Aden, Arabia.

March 17, 1927.

SUBJECT: Changes in the Government of Abyssinia.

1—1055

DEPARTMENT OF STATE
APR 1927
ASSISTANT SECRETARY OF STATE

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

I have the honor to report a number of new appointments in the Abyssinian Government, arising mainly out of the death of Fituarari Hapta Giorgis, the War Minister and Commander-in-Chief whose departure was reported in despatch No. 201 of December 28, 1926, as having left a large gap to be filled in the discretion of the Prince Regent, and as having been an event of no small importance in the internal politics of Abyssinia. The information was obtained through the kindness of H. B. M's Minister, who sent me a copy of his confidential report No. 72 from Addis Ababa. This report is appended hereto and my own comment in connection with the several items about which I have obtained some little information from other sources is respectfully submitted below.

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The deceased Fituarari Hapta Giorgis was Abyssinia's only strong man since the death of Emperor Menelik II in 1908. Not only is there no worthy successor for this important post, but Ras Taffari desires, as Mr. Bentinck says, that there should not be. His Highness has made the influential

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position of War Minister innocuous by dividing it between two weak men and rather ridiculous, from the point of view of the average Abyssinian of Addis Ababa, by stripping away the body-guard of 16,000 men, formerly under the direct orders of Hapta Giorgis, from the new appointees.

Dejazmatch Mulugeta and his newly-appointed assistant, or Chief of Staff, Ligaba Wodajei, are both "Empress men", appointed by Ras Taffari obviously at the instance of Empress Zaoditou, but cannily chosen for their inaptitude and deprived, as above stated, of that which spells power to any official - a following of soldiery. I am informed by a friend in Addis Ababa that Mulugeta is a man of about 55 years of age, who formerly was a member of Menelik's Cabinet. He is better educated and more enlightened than Hapta Giorgis, and learned a little of the outside world (about which the latter knew and cared nothing) when he accompanied Ras Taffari to Europe. Although he may have been a satisfactory Minister of Finance prior to the present appointment, and there is reason to believe that he was as good as any available for that function, there is little doubt that he will be incapable of wielding the enormous influence attributed to his predecessor in the War Ministry. The prestige arising from personality, strength of character, and a record of military prowess is essential for a War Minister and Commander-in-Chief in Abyssinia. Corruption, too, so unthinkable among the great statesmen of the West, is more or less the rule among those in power in Abyssinia, and European observers have got into the habit of gauging Ethiopian personalities,

not

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not by their honesty, but by the "stickiness" of their fingers, and comparing them with our standards of integrity. But there is a saving quality about Dejazmatch Mulugeta. Incapable as he may be in his present position, and although he and his assistant can find nothing more important to do than "quarrel about questions of precedence", I was informed today by Mr. C. F. Rey,* an authority on Abyssinia and its leaders, that Mulugeta "is not too dishonest". He is supposed to be an Empress yes-man, but the Prince Regent has covered himself in masterly fashion, while not incurring the Queen's displeasure.

Ligaba Wodajei has excited no spirited comment from any source. He is merely looked upon as a further expression of the Queen's hand in government. Her motive is to restrain Ras Taffari, but she has lost her left hand, Fituarari Hapta Giorgis. She still has her right hand, the Church. The Chief of Staff simply does not matter, in any case.

It is of interest to note that Ras Taffari has divested the War Minister of the lands providing revenue for the army of 16,000. It was widely reported that the lands of Hapta Giorgis, the very impersonation of feudalism, were closed to safe travel, but this is untrue. Later reports indicate that there is no restriction of travel, even to foreigners, in the province of Gurage, south of Addis Ababa. The safe-conduct issues from the Regent.

There

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*Mr. Charles F. Rey, F. R. G. S., author of "Unconquered Abyssinia as it is Today" (Seeley, Service & Co., Ltd., London, 1923), and of recent lectures and articles on Abyssinian customs, peoples, political problems, travel, appearing in The Geographic, The Edinburgh Review, etc., is spending a few days in Aden, en route to London from Addis Ababa, accompanied by Mrs. Rey and the Baroness Henrietta van Heeckeren van Kell, niece of Mr. Bentinck. He is a sound thinker and a brilliant conversationalist, and has given me the benefit of his experience.

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There is fuming and figurative "frothing at the mouth" over the appointment of Nagadras Zallacka to the supposedly lucrative position of Minister of Finance. This gentleman's "notoriously avaricious character" has been reported to this office during the past few days from three distinct and representative sources, i. e., Mr. Rey, Mr. Bentinck and Miss Davison, a young American lady who came to Aden from the American Mission at Addis Ababa for a short visit*. The last-named represents the American opinion in the Abyssinian Capital. Apparently Nagradas Zallacka won his spurs in the equally lucrative position of Chief of Customs. In any case, he established an unenviable reputation for graft during his prior career as Chief of Customs. He was the Ethiopian delegate to the League of Nations one year ago. Mr. Rey, who knows him, says that he is "almost devoid of brains, and so unscrupulous in money matters that his powers as Finance Minister have been limited". In addition to Mr. Bentinck's reference to the War Minister's insistence upon receiving the army revenue direct, without the intermediary of the Finance Ministry, Mr. Rey states that Ras Taffari has taken care to limit severely all of Zallacka's powers and that the Regent proposes to make him a virtual figure-head by checking closely everything he does. It is significant that even the Abyssinians, who are accustomed to graft among public officials and have learned to accept a moderate amount of it as a matter of course, see in this man such a menace to the financial stability of the Government that he should be rendered as unharmful as possible.

The appointment of Azaz Dagafi as Assistant to the "Bitwodded" of the Empress's Palace would seem to be part of a plan to leave the Ministry of Agriculture open for Taffari's

choice,

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choice, Fituarari Amdei, upon whose refusal to serve the Agriculture department was vested in the Privy Seal, named Tsafi Tizaz Wolde Maskal. The exact meaning of this appointment is not yet understood, and it probably does not matter much at this very early stage in the development of Abyssinian agriculture. Interest centers in the significance of appointments with respect to the party under which they fall.

As for Ato Sahle Sadalou, the Foreign Secretary, Mr. Rey refers to him as a dying man. He is the only man named thus far whom I know personally at the present time, having met him in September, 1925. He is relatively young, not yet having reached his forties, and is well educated for an Abyssinian. His removal from the position of Foreign Secretary, although due to unfortunate causes, is looked upon by the British and Italians as a good thing, since he is notoriously pro-French and was known to have kept the French Minister advised in detail of every move made by the Government and by the other Legations. The non-French foreigners also regard his successor, Berhana Marcos, former Director of the Post Office, as a vast improvement from their point of view, since their official dealings with the Government are carried out through the Foreign Secretary. In the hands of Ato Sahle Sadalou, the position of Foreign Secretary degenerated into little more than that of an aide-de-camp of the Queen and the Regent, combined with the self-assigned function of serving as virtual messenger of the French Legation. The French Legation had in this way been able to obstruct other foreign enterprise and to persist in its dog-in-the-manger attitude much more effectively than will probably be the case now. Mr. Rey speaks

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of Berhana Marcos as one of the ablest, shrewdest and best educated men in Abyssinia. He knows better French than any Abyssinian known to Mr. Rey, who knows many. I made this official's acquaintance in Addis Ababa in 1925, but there was not sufficient opportunity to draw my own conclusions regarding his worth. From my limited impressions, I am inclined to agree with Mr. Rey.

Monsieur de Bellefonds, French Legal Adviser to the Government is regarded by Mr. Rey, and was generally regarded, I observed in 1925, as a joke. He is said to know but little law, and that his position was mainly an idea. Far from being summoned to the councils of Government, or being deferred to in matters of complicated or other legal technique, he has often been seen waiting in the Empress's outer court for hours to obtain ~~xx~~ interviews by which he might justify his tenure of office. His detention thus long is scarcely understood, and talk of his successor appears to be so current that he has probably at last reached the end of things. He is supposed to have asked for increased pay, to provide a story in the event of dismissal. With regard to the possibilities mentioned by Mr. Bentinck to replace Monsieur de Bellefonds, i. e., Monsieur Auberson, Maitre Chanoit and Herr Weinzinger, I can add only the comment that Herr Weinzinger is generally unpopular, having been requested by the Government to issue a semi-official organ known as "Correspondance d'Ethiopie", thus serving as another Queen's yes-man. Ras Taffari is also in a position to use his columns to advantage. Only two issues of "Correspondance" have been published, the first one having been labeled as "Edition

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"Edition Speciale No. 1" published at Paris, October 25, 1926, and devoted exclusively to the full text, and press comment regarding, the Anglo-Italian agreement with respect to the Lake Tana barrage and the Italian railway scheme, and covering the period from ~~October~~ December, 1925 to October, 1926. Herr Weinzinger is thus the merest tool, not even enjoying the respect of the Government. Herr Weinzinger first came to the notice of this office in connection with the rental litigation of Dr. Faitlovitch of the American Pro-Falasha Committee, reported in despatch No. 200 of December 20, 1926, (p. 4, par. 1, and par. 2 of the enclosed minute of Mr. Maclean). That case did not seem to reflect credit upon his legal abilities.

While the policy of Ras Taffari and Ras Kassa is a matter of common knowledge, namely, to surround themselves with weak men, the true significance and the probable effect of this practice is not clear. Mr. Rey informs me that Ras Taffari, whom he regards a "pal", confided to him that there is not a man in the country who can be trusted completely to take full charge of a department of Government without using his power for his own ends to the detriment of the country as a whole. This was in response to Mr. Rey's protests to the Regent against the futile system adopted by the Regent of attempting to attend personally to all the details of Government. The result is that every department is inefficiently operated, and that Ras Taffari is obliged to labor from five in the morning until ten at night. If he were willing to entrust the finances to a disinterested foreign expert, as in Persia, for example, His Highness would be relieved of his greatest burden. But in view of the feudalistic and loosely-

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controlled status of the country, the opinion is that a financial control commission would have a difficult time. In some provinces, ruled by strong Rases who do not accept the suzerainty of the central Government, it would be well-nigh impossible to collect revenue. The system might be started in a small way, however, confining its first operations to those districts over which Ras Taffari himself has influence.

President Coolidge said on February 22, 1928, "It is a mark of a great man that he surrounds himself by great men." I am inclined to think that the Prince Regent of Ethiopia would be willing to follow Washington's example if he were not convinced that all of the potentially great men of his country would, given responsibility in the central Government, use their power against the best interests of the Empire. His struggle towards modernization, already ten years old, has been a perpetual fight against ignorance and reaction, his efforts to win the friendship of provincial Rases, by receiving them periodically as Palace guests, have been aborted by the uneducation of these men, and his endeavor to do everything himself is more pathetic than blamable.

For example, Ras Kassa, who works closely with the Prince Regent and exerts a considerable amount of antagonistic pressure upon him, has two sons who, if educated abroad, as Ras Taffari earnestly desires, could be great powers for good in guiding the future destiny of the Empire. But, according to Mr. Rey, Ras Kassa firmly refuses to permit their education, lest they return only to despise their father. Ras Kassa, like many other prominent Abyssinians, can see no further than that.

And so Ras Taffari surrounds himself with little men, and even "notoriously avaricious characters", conscious of

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17 1962

of their limitations and of the necessity of personally checking or doing their work. In spite of his indefatigable industry, his innate refinement, his astuteness and his progressive ambitions for Abyssinia, he has but few subjects upon whose loyalty he can depend, because he is not enough of the despot. His subjects do not suffer him gladly, because, in their simplicity, they confuse his quiet patience with weakness, his adaptation to opposition with vacillation and his foreign diplomacy with heresy. He compares unfavorably with the mighty Menelik in the eyes of his people, because the "big stick" is as foreign to his nature as was gentle culture to his great predecessor. Menelik was masterful, intolerant of obstruction, aggressive, determined, and in his own way, progressive withal. Menelik had the one great advantage in addition to these of being a great soldier. The annihilation of the Italian army at Adowa in 1896 gave Menelik the power of a dictator - power, it may be said to his credit, which he wielded wisely and beneficently. Only a Menelik could address the French Railway Company at so early a stage in Abyssinia's evolution as August 8, 1904, the following command: "In order that the Railway Company may lose no time unnecessarily, I inform you that it is my will that it forthwith commence work on the line from Dire Dawa to Addis Ababa." Only a Menelik could abolish slavery in Abyssinia, even now. Only a Menelik would summarily command the foreign legations to establish themselves without the limits of his capital, in allotted grounds, and as far from his Palace as possible. A Menelik can select a new site for a capital and proceed at once to build a great city like Addis Ababa, plant thousands of eucalyptus trees and start unheard-of road-building by himself setting the example

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example of manual labor, followed by his subjects. Menelik over-rode and punished opposition to his will; Ras Taffari must cater to the Empress in making new appointments, and must resort to strategem to prevent these appointments from leading to his undoing. The danger is that he will exhaust himself before he is fully mature (he is about 33 years of age), because he trying to be the whole Government. His system is founded upon wrong principles, but it seems to be the best that he can do. Idealist he no doubt is, but he is also realist enough to accept circumstances as they are and to make the best of them. But he is working with worn-out tools and the effort may wear him out.

For the improvement of this situation, Mr. Rey, in one of our conversations, touched upon the feasability of advice and assistance from the outside, remarking that Ras Taffari's Government and such problems as land development, commerce and finances might benefit considerably through the employment of expert, disinterested foreign counsels. "Nothing that we (the British) or any other nationality on the ground," he said, "can do or say carries much weight with Ras Taffari, because our interests, like those of France and Italy, are too closely interwoven with Abyssinian frontier and territorial questions. I believe that he would listen to suggestions from you, and if you should have a Legation at Addis Ababa, it could be an influence for good. I have often protested to His Highness that he is taking too much detail upon himself and that he cannot do this indefinitely. I have suggested that he seek the ablest men in the Empire to help him and to vest in them full powers and responsibility for their several duties, thus

to

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BY William Lescure DATE July 17, 1962

to relieve himself of infinite detail and to strengthen the fabric of government. I have hinted that he organize a little more, selecting men not only for their ability, but with a view to their loyalty to him. But I realized all the time that he is faced with ignorance, feudalism and the rather embarrassing dual reign now existing, the two leading figures of which are working constantly and helplessly at cross purposes. But here is where the Americans might possibly play a constructive part. They have no axe to grind. I have been, individually, in a fortunate position with Ras Taffari and Abyssinians in general, for the same reason, but still I am British, and to a certain extent that puts them on their guard. Your hospital, for example, is a concrete proof to the Abyssinian of your desire to do something for him, without the ulterior motive of staking out territorial claims in his country. You have a splendid opportunity to lead the Abyssinian Government towards a higher level of efficiency."

This the Englishman's point of view, of course, and it is not difficult to see that although the British of this part of the world are genuinely and candidly friendly to us, they probably cherish an arriere pensee of the ultimate benefits possible to them through this friendship, as, for example, the control of Blue Nile water for Sudan irrigation. An American representative in Addis Ababa would have to steer a careful middle course between extremes in his relations with the Government on the one hand and the Legations, notably the British Legation, on the other. A close study of Abyssinian mentality, background, point of view and especially the language, which is the entree to all the rest, combined with careful

judgment

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BY William Lescure DATE July 17, 1962

judgment and mature consideration of each move made, will surely keep American prestige and beneficent influence in the ascendant.

I have the honor to be, Sir,

Your obedient servant,

J. Loder Park,
American Vice Consul.

Enclosure:

Mr. Bentinck's confidential despatch No. 72, of February 28, 1927, to the British Foreign Office.

File No 800/801.A

Copies to:
Embassy, London.
Embassy, Rome.
High Commission, Constantinople.

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

COPY

No. 72.

Addis Ababa,

CONFIDENTIAL

February 28th, 1927.

Sir,

With reference to my despatch No. 241 of December 11th last and to paragraph 4 of my despatch No. 38 of the 1st instant, I have the honor to report that the much coveted post of Minister of War has now been given to Dedajmatch Mulugeta, up to the present Minister of Finance. Under him Ligaba Wodajei has been appointed Chief of Staff of what is known as Menelik's Army. The 16,000 men comprising the army of the late Fitaurari Hapta Giorgis, however, have still to be disposed of. Ras Taffari told the Oriental Secretary to His Majesty's Legation that it is his intention to get the command of this army into his own hands, as well as the lands from which this army receives its pay. Thus the duties of the late Fitaurari have been given to two people, who are quarrelling about questions of precedence, and a third party intends ere long to take the lion's share of the spoil.

2. Other appointments now announced are that of Nagadras Zallacka, hitherto Chief of the Customs, to be Minister of Finance. The appointment of such a notoriously avaricious character to control the finances of the country has caused no little surprise. The late Minister of Finance, being perhaps in a position to know the character of his successor, has taken care to insist that

The Rt. Hon.
Sir Austen Chamberlain, K. G.,
etc. etc. etc.

CLASSIFICATION CANCELED AUTHORITY LETTER
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BY William Lescure DATE July 17 1962

that the money anmually assigned to the army shall come straight to himself and not pass through the somewhat sticky hands of Nagadras Zallacka - hence further friction has arisen.

3. Dejazmatch Wolde Gabriel, the Empress' Chief Chamberlain, has been made a "Bitwodded" (Beloved). The title Bitwodded is looked upon as a singular distinction and favor conferred in recognition of long service, but it carries no weight. The only other person possessing this distinction is Bitwodded Getatchu, mentioned in my despatch No. 241. His appointment to the far off Province of Maji, through the influence of Ras Taffari and Ras Kassa, is possibly a gain to them but a loss to the Empress' party.

4. Azaz Dagafi, hitherto Minister of Agriculture, has been appointed Assistant to the Bitwodded of the Palace. To Tsafi Tizaz Wolde Maskal, the Privy Seal, the duties of Minister of Agriculture and Industry have been assigned in addition to those of Privy Seal. The Department of Agriculture had been offered to Fitaurari Amdei, who refused. The last named is said to be very influential at present with Ras Taffari, but his influence is not for the good.

5. Notes upon all the above mentioned persons will be found in paragraphs 7 and 8 of my annual Report for 1925. The new Chief of Staff, I should add, accompanied Ras Taffari to Europe in 1924.

6. Ato Sahle Sadalou, the Foreign Secretary, mentioned in paragraph of my annual Report for 1925, is seriously ill with tuberculosis, and has had to relinquish his duties. Berhana Marcos, the Director of the Post Office, has taken Ato Sahle's place. This change has afforded

pleasure

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BY William Lescure DATE July 17, 1962

pleasure to my Italian and German colleagues, but the French Minister does not seem pleased, although Berhana Marcos was educated by the French Roman Catholic Mission and is himself a Roman Catholic. As I scarcely know Berhana Marcos, I cannot express my opinion about him.

7. Monsieur de Bellefonds, the French Legal Adviser to the Government, has had his contract renewed for six months only. From information reaching me, I had gathered that his days were numbered, but six months is capable of further renewal. The new Swiss Legal Adviser to the Special Court, Monsieur Auberson, has hopes of succeeding Monsieur de Bellefonds. Monsieur Auberson has not made a fortunate start in his relations with the French and German Legations and altogether he is shy of being seen going to any Legation, in view of his appointment under the Abyssinian Government.

Ras Taffari has not yet made up his mind as to whether to appoint Monsieur Auberson in the place of Monsieur de Bellefonds. Another possible successor to Monsieur de Bellefonds is Maitre Chanoit, who, I believe, could have succeeded him already if he had wished. I should have nothing against him beyond his French nationality. My Italian colleague heard that Herr. Weinzinger, the Austro-Jewish editor of the anti-British and Italian Newspaper "Correspondance d'Ethiopie" had hopes of succeeding Monsieur de Bellefonds. As Mr. Cora (i. e., Italian Minister) and I are not prepared to receive Herr. Weinzinger, I authorized Mr. Zaphiro (i. e., Oriental Secretary) to give a hint to Ras Taffari regarding his rumoured appointment. His Highness said that in no circumstances would he appoint Herr. Weinzinger Legal Adviser to the Abyssinian Government.

8. My

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8. My colleagues had looked upon the above-mentioned appointments of the Empress' friends as the work of Ras Kassa, and not likely to please Ras Taffari. His Highness, however, told Mr. Zaphiro that he and Ras Kassa had purposely selected second rate men for the posts in order that they themselves should retain the real power in their own hands. Hitherto Tafari Tizaz had appointed and controlled all the secretaries of the various Ministers. Ras Taffari told Mr. Zaphiro that he and Ras Kassa had decided that each Minister should henceforward appoint his own Secretary. In return for this loss of power, they had given Tsafi Tizaz the Ministry of Agriculture.

9. Ras Taffari also told Mr. Zaphiro that the new Minister of War should have nothing to say in the Boran country. His Highness intended to control this part of the country himself. He would appoint a really good Governor there who should be directly under his orders and he would see that there would be no further cause for friction with us.

I am forwarding copies of paragraphs 1, 2, 8 and 9 to Khartoum, Nairobi, Mega and Harrar.

I have the honour to be with the highest respect,

Sir,

Your most obedient,

humble servant,

Sd/- C. H. BENTINCK.

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

CIE
AC/C
WE

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa, Ethiopia

Copy to OSS
for comment

April 23, 1928.

4:00
memo. mist. 5
comm. 6/16/28
E

DEPARTMENT OF STATE
A-O/O
APR 25 1928
M
ASSISTANT SECRETARY

FOR DISTRIBUTION - CHECK
Yes No
To the Field
In U. S. A

DEPARTMENT OF STATE
JUN 6 1928
DIVISION OF
WESTERN EUROPEAN AFFAIRS
DEPARTMENT OF STATE
MAY 25 1928
DIVISION OF
NEAR EASTERN AFFAIRS
Memo to AC/C - 5/25/28.

INDEX BUREAU

884.01

No. 17

FILED
JUN 7 1928

The Honorable,

The Secretary of State,

Washington.

Sir:

I have the honor to report that there has recently been brought to my attention here an article published in the issue of the CHRISTIAN SCIENCE MONITOR of November 21st, 1927, entitled "African Radio Market Needs Exploitation."

This article carries with it a map, labelled as having been prepared in the United States Department of Commerce, in which Ethiopia (Abyssinia) is represented among the "possessions and protectorates" of Great Britain. Only one copy of the clipping is available and it is attached

to

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

to the original of this despatch.

The appropriate division of the Department of Commerce may be interested in knowing that Ethiopia is very proudly a sovereign state, and that the Ethiopians are particularly sensitive over any suggestion that they constitute a protectorate or possession of any European power, and last of all, of Great Britain.

Envious of the high favor enjoyed in Addis Ababa by Americans the representatives of other nations in this country are usually on the alert to launch propaganda against us here, and a widely published map of this sort is particularly useful to them in their unremitting efforts to advance their own economic interests as opposed to our own.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD
Minister Resident and
Consul General.

Clipping enclosed.

RADIO

AFRICAN RADIO MARKET NEEDS EXPLOITATION

Government Report Shows Possibilities for Active Manufacturers

WASHINGTON—Although the Sahara Desert, which comprises the large part of north Africa, is perhaps the "deadest" spot in the world with respect to radiocasting, the "Dark Continent" is more and more being impenetrated by radio waves. Today, despite its comparatively small white population, Africa is offering a ripe field for trade exploitation by American radio manufacturers interested in foreign trade.

The reason is that radiocasting is being "taken up" as more stations are built. South Africa is especially well advanced in radio, and its amateurs particularly are frequently in communication with American amateurs. But north Africa is also building stations, and today there are programs emanating from places like Tunis, Algiers, Casablanca and Cairo, not to overlook the Canary Islands and Las Palmas. Moreover, north African receivers can occasionally tune in on stations across the Mediterranean in France and Spain.

A report on the radio situation in Africa discloses an increasing demand for radio equipment which is merely a reflection of increasing use of the radio. The report was prepared by D. H. Reichert of the electrical equipment division of the United States Department of Commerce, who notes that even in the cheap prices and the thoroughness with which many continental concerns work this territory. The market is necessarily small at present, as the masses of people are very poor, the demand being chiefly among the wealthy natives and the large foreign communities, but it is believed that the radio market will display increased activity in the immediate future.

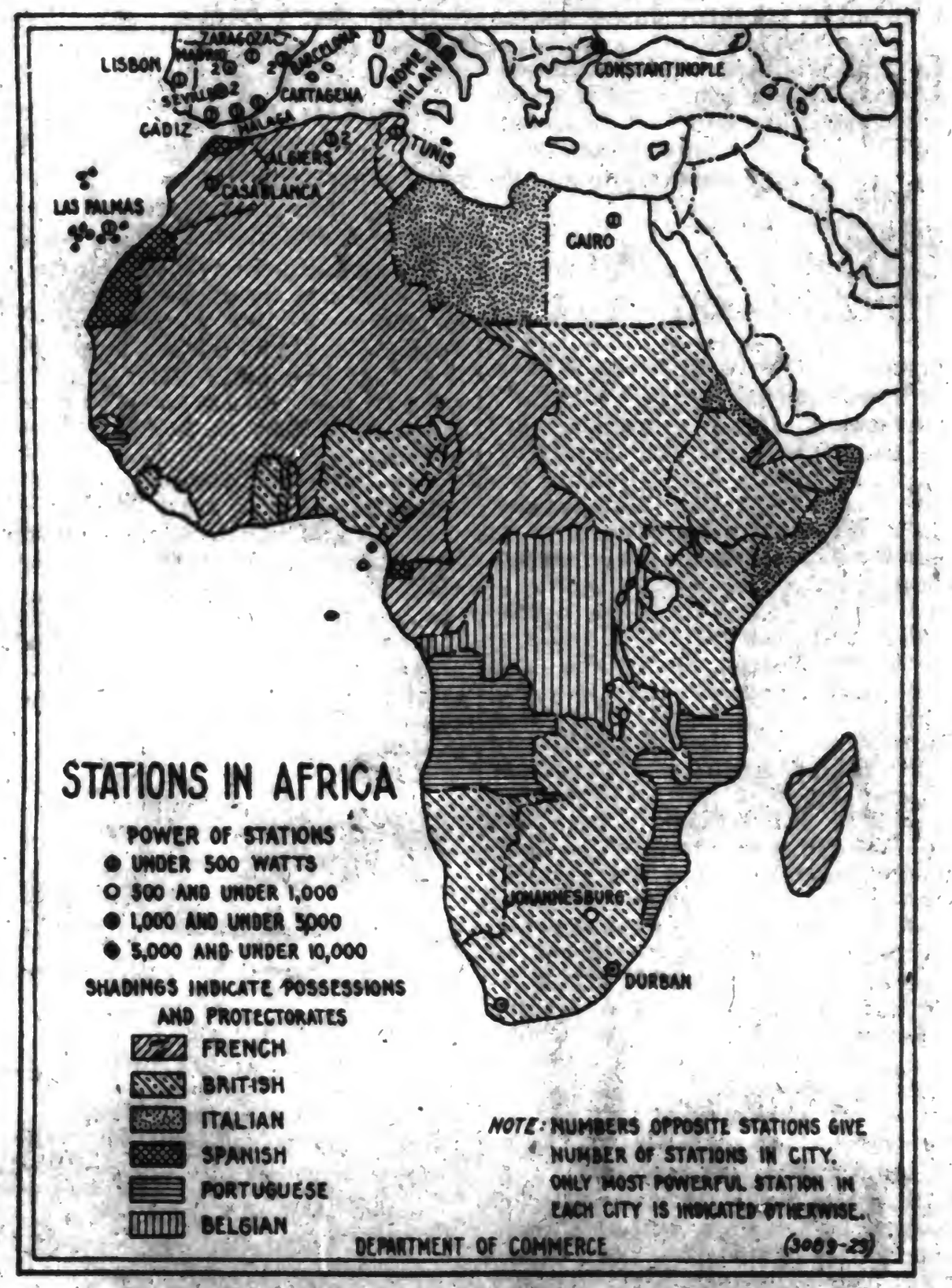
In Tunisia, Algeria, and Morocco there are small stations in the capital cities. The population of these countries is largely Muhammadan and the people have little use for radio. The European population and especially French military officials stationed in or near these cities provide the market, which is small but good. Supplies for these markets are usually brought from France.

The market for radios in Tunis is limited, and is dominated at present by French makes. American radios are unknown in Tunis, and extensive advertising would be necessary to enter the market.

A new station of 5000 watts is projected in Algiers, and it is expected to give a stimulus to business. The demand has been small, because few people are in position to buy sets, and because German competition is keen and no powerful transmitting station is near. No radio supplies are being imported direct from America. A few instruments of American manufacture have been imported from France; but, in a general way, American prices are rather high, considering the heavy customs duty.

The Canary Islands have a radiocasting station at La Laguna, which, although of low power, is sufficient to serve the entire archipelago. Radio is popular, but the comparatively low purchasing power of the majority of the inhabitants prevents their investment in radio. There is a fair market for radio material, but at present practically

African Radiocasting



Enclosure with Despatch No. 17 - April 23-28 Addis Ababa

CLASSIFICATION CANCELED AUTHORITY LETTER OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T BY William Lucas DATE July 17 1962

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

RECD
INDEX BUREAU
DEPT. OF STATE
JUL 11 28

DEPARTMENT OF STATE
Action requested herein taken
JUL 16 1928
A-C/C
ASSISTANT SECRETARY OF STATE

DEPARTMENT OF COMMERCE
BUREAU OF FOREIGN AND DOMESTIC COMMERCE
WASHINGTON

July 9, 1928.

IN REPLY REFER TO 29.

Hon. Wilbur J. Carr,
Assistant Secretary of State,
Department of State,
Washington, D. C.

DEPARTMENT OF STATE
A-C/C
JUL
ASSISTANT SECRETARY OF STATE

Attention: A-C/C.

884.01/3

Dear Mr. Carr:

Referring to report of April 23, from the Consul General at Addis Ababa, Ethiopia, the designation Ethiopia as a British possession was an error of the Drafting Division. We very much regret that it was published in this manner and we trust that no wrong impression was created in the United States by it.

Very truly yours,

Perry J. Stevenson

Perry J. Stevenson,
Liaison Officer.

INDEX BUREAU
FILED
JUL 17 1928

ADDRESS ALL COMMUNICATIONS TO
BUREAU OF FOREIGN AND DOMESTIC COMMERCE
WASHINGTON, D. C.

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY Wilbur Lucas DATE July 17 1962

July 16, 1928.

MEMORANDUM

The Minister Resident and Consul General at Addis Ababa, Ethiopia, is provided herewith a copy of a letter (29) dated July 9, 1928 from the Bureau of Foreign and Domestic Commerce regarding the error appearing in a map prepared by the Bureau with respect to radio stations in Africa and published in an issue of the CHRISTIAN SCIENCE MONITOR of November 21, 1927, which was the subject of a despatch to the Department dated April 23, 1928.

884.01/4

884.01/10

Enclosure as stated.

884.01/4

A-C/C:JGK:VTS.

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

AE

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa, Ethiopia.

June 19, 1928.

DEPARTMENT OF STATE
AUG 27 1928
DIVISION OF
WESTERN EUROPEAN AFFAIRS

DEPARTMENT OF STATE
AUG 27 1928
DIVISION OF
NEAR EASTERN AFFAIRS

AM. LEGATION BUREAU
RECD
AUG 21 1928

FOR DISTRIBUTION
To
In
London
Rome

NARCEX BUREAU
884.01/5

No. 39

The Honorable,

The Secretary of State,

Washington.

Copy Transmitted by ...
Commercial Office (A-B/C)
To London
Rome

FILED
AUG 31 1928

Sir:

I have the honor to state that as time permits I propose to submit a series of basic despatches to assist in the interpretation of reports on future political occurrences in Ethiopia.

124.84/16

The first of this series was my despatch No. 34 of June 2nd, 1928, on the subject of the attitude of other national Legations in Addis Ababa towards the American Legation and Consulate General here. The present is the second of my proposed series of basic despatches. It treats briefly the organization and functioning of the present Ethiopian Government.

It

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CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

It should be said that this despatch is not limited by the observations and experiences of my present comparatively brief sojourn here. As the Department is aware I have several times visited Ethiopia. My first visit was eleven years ago. Since then I have studied Ethiopia from various angles. I have heard and examined various accounts of the form and manner of functioning of the Government. I do not entirely agree with any one of them. This despatch is, therefore, my own interpretation based upon more experience and opportunity than has been afforded any other American or most Europeans for similar study.

Most observers agree that the ruler of Ethiopia can easily and correctly use the somewhat hackneyed but well understood expression of "l'etat c'est moi." This government is an absolute monarchy. Its absolutism has been, and is, from time to time modified according to the strength or weakness of the twenty principal rulers of states or provinces making up the empire. Particular mention might be made in this connection of the powerful Ras Hailu who rules the large and rich western province of Godjam. Ras Kassa (second cousin to both the Prince Regent and Empress) of the province of Salale, north of Addis Ababa, is also a power unto himself.

The ruler of Wolkait, north of Lake Tsana, is said to be under Italian domination via Eritrea (by persuasion mainly of heavy "backsheesh") and not to respect the central government as he should. This same remark applies to other, but lesser, northern rulers. However, this subject of

Italian

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BY William Lescure DATE July 17 1962

Italian intrigues and bribes in the north will be made the subject of a later despatch.

The theory and practice of Ethiopian government is that all power is in the hands of the central ruler. All the land, all the people and all their property, belong in theory to the ruler. The executive, as well as the judicial and the legislative powers of government are in his or her hands. The only limitation is personal, not legal. The provincial rulers are in turn absolute in their own provinces subject to the will of the central ruler or "king of kings." They are on occasion sufficiently strong to observe only the form of obedience to the central ruler. But strong or weak they usually control according to their personal ideas all branches of local government whether administrative, judicial or financial.

It should, of course, be remarked that the feudal system prevails more or less to this day in Ethiopia. That is the peasant owes fealty to his immediate chief, and only indirectly to those higher up to and including the head of the central government. But the latter if he is strong, as was the late Emperor Menelek II, exercises his power directly over all his people, individually and collectively, if he chooses.

The head of the central government is, in turn, accessible to each and every Ethiopian. Any subject may demand and, in time, receive audience. There are also certain national days of feasting or commemoration when any subject may appear before the supreme ruler and speak his mind

without

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BY William Lescure DATE July 17, 1962

without fear of punishment. This feature of accessibility to all and sundry is in these modern days proving a great burden to the ruler and prevents him devoting more of his time to the greater and national problems of state.

The present supreme ruler of Ethiopia is nominally the Empress Zauditu, daughter of the late and great Menelek II. The actual ruler is His Imperial Highness, Tafari Makonnen, who has the official title of Prince Regent and Heir Apparent to the Throne of Ethiopia. All business comes to and passes through his hands although in theory, but not always in practice, he must consult the Empress before making decisions in many matters.

The coming into power of Her Majesty, Zauditu, and of His Imperial Highness, Tafari Makonnen, as a result of the ousting of Menelek's grandson, Lij Yasu, in 1916, has been discussed in detail in various despatches on file in the Department which I wrote in 1916-20 when Consul at Aden. It is, therefore, thought not necessary to go over again in this despatch that somewhat lengthy account. As already stated the Empress is the daughter of the late Menelek. Tafari is the son of the famous Ras Makonnen, now deceased, who was a first cousin and mentor of Menelek.

By the revolution of 1916 the government was given into the hands of a triumvirate. These were Zauditu as representing the Menelek faction, Tafari as representing the Makonnen party, and the Fituarari Hapta Giorgis as representing both the Menelek and military parties. Hapta Giorgis died more than a year ago and his successor as

Minister

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BY William Lescure DATE July 17 1962

Minister of War, the Dedjazmatch Mulou Gheta, did not come into his power as one of the original governing triumvirate.

The Empress and the Prince Regent are, in form, helped to govern by a Council of Ministers. United these ministers could absolutely control the government. They are not, however, united and there is no one familiar with this country who can see that such union would be possible. Their individual or personal interests are too much in conflict.

One of these fellows has the title of Minister of the Privy Seal which has at times been equivalent to the rank and power of Prime Minister. His power is merely nominal. Ras Tafari is his own Prime Minister. Or, in practice, he combines the function of Prince Regent with that of Prime Minister in fact to Her Majesty, the Empress.

Every affair of government comes first to what might be called the "Secret Council" consisting now only of the Empress and Prince Regent.

Any affair, according to its nature, may be considered by an "Interior Council" formed by calling in Ras Kassa if he is in the city at the time, together with the head of the church, the minister of the department concerned, and one other minister. This makes a total of six and includes the greatest concentration of power and influence possible.

Ethiopia has a state church (Monophysite Christianity) and the head of it is normally a Coptic priest of Egyptian origin known as the Abouna, meaning in Arabic and other

Semitic

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Semitic languages "the father." He is the Ethiopian pope and wields very great influence. His power and influence is based upon a close organization of perhaps a hundred thousand priests scattered throughout the country. He also dominates the Empress who is deeply religious. However, the last Abouna (Matthew) died over a year ago and as a new one has not yet been appointed the present head of the church is the normally second in command. The latter is always an Ethiopian and known by the title of Itchigue. There is also the consideration that the holy or church law is, in effect, the law of the land. The power of the church is obvious.

Should this socalled "Interior Council" of six consider necessary or tactful the matter in hand may be referred to a still larger "Council of Ministers." This latter body at present includes nominal Ministers of War, Justice, Interior, Public Works, Agriculture, Finances, Posts & Telegraphs, Industry and Commerce, with the Prince Regent, a representative of the Empress, the Court Chamberlain, the Governor of Addis Ababa, the Chief of Ceremonies, the Itchigue, and two prominent officials or provincial rulers who vary according to invitation.

On some occasions matters of state may be referred to a still larger "Grand Council" composed of about twenty more or less prominent central government officials, including the Minister of Foreign Affairs, and provincial chiefs. The exact composition of this last and largest council is not important as the membership varies considerably.

Any

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BY William Lescure DATE July 17, 1962

Any of these councils may refer a matter of what they consider technical importance or nature to a "little" council composed of the "Directors of Bureaus." This latter might be called, in the best translation from the Amharic available, the "Commission of Directors of Ministries."

This represents the complete machinery for handling any matter of national character or importance in Ethiopia. But whatever decision any of the various councils may take the final word is had by Her Majesty, the Empress, with His Imperial Highness, the Prince Regent. Further or better to illustrate this system there is attached hereto a diagram. 1/

In each of the more or less self contained "little Kingdoms" or provinces of the Empire there exists a somewhat similar method of resolving affairs of state. Of course, there is also the situation where the more autocratic provincial ruler combines in himself all the "Councils." If he is strong enough there is no one to say him nay.

The members of all these "Councils", national or provincial, are invariably from the hereditary or professional governing class. They are not elected. Popular suffrage does not exist in Ethiopia. The places they may hold from time to time are by personal favor of the sovereign, or as a result of their own factional intrigues. In other words they have no responsibility to the people of the country. Their decisions or votes in matters of state are practically never influenced by the interests

or

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

or desires of the people they govern. The latter are expected to accept with appreciation, but without question or representation, what is given them in the matter of government.

At first thought it might seem that this system would greatly facilitate business. It does not. Factional and personal differences among the people comprising the various Councils make agreement difficult on any given question. This situation, and the practice of the Prince Regent in requiring that every matter great or small shall come to his attention, slows up the transaction of all business. Matters not infrequently are pending for one or more years.

An understanding of this system will also explain why such matters as the Tsana Dam, by way of illustration, might reasonably drag along over a considerable period of negotiation. The Ethiopian is not by temperament inclined to hustle matters of any sort. With this system of governmental consideration of business the time element becomes still more elastic and less important.

The Prince Regent is modernistic and progressive in his tendencies. The Empress is unusually conservative and reactionary. The various provincial rulers and higher government officials belong either to the "party of the Empress" or to the "party of the Prince." This means, in effect, that they oppose, and intrigue against, each other in the various Councils and frequently deadlock on matters sometimes of the most vital importance and frequently insignificant. The members of the party of the Empress are

more

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more or less against the introduction of foreign influence and modern progress into Ethiopia. Their basic reason is that such introduction would open the way to political and territorial aggression by certain European powers. They point to what they consider attempts of this sort in recent decades by Britain, France and Italy.

The Prince Regent desires, on the other hand, to have highways and other public works constructed, manufacturing industry set up, and other activities leading to the development of this country with its remarkable richness of natural resources. He is gradually gaining in influence and considerable progress has been made in the past five or six years.

Nevertheless each step in the economic progress of the country is accomplished only after difficulty. The Empress and her party oppose each new step as a matter of practice. Sometimes the Prince Regent is able to win them over. The Empress is much more inclined to view with favor the proposals of nationals of other than Britain, France or Italy. It is mainly on this basis that Americans are in favor and that we may have some hope of participating in the more important steps for the economic exploitation of Ethiopia.

Ethiopian practices and view points are very much more Oriental than otherwise. This is especially true in transacting business with the government. Gratuities, to put it politely, are received by many of the officials and frequently influence their convictions on any given matter.

Time

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Time is unimportant and what is not done today may just as well, in their opinions, be done next year.

In passing it should also be remarked that many of the ministers hereinbefore mentioned are such only in name. The Minister of War is fairly real. The Minister of Agriculture, for instance, is more or less a figure head as there is no actually functioning Department of Agriculture. There are no public works, but there is a minister with a portfolio so designated. The Minister of Finances is more or less an accountant for the Prince Regent. The latter collects and is the custodian of all revenue which eventually reaches the central government. No payments are made without his O.K. The Ministry of Industry & Commerce appears mainly concerned with the collection from the Franco-Ethiopian Railway of the share of profits due the Ethiopian Government. It has no statistics on commerce and industry, and is unable to give any information as to the status of commerce and industry. The Minister of the Interior, with whom I am well acquainted, appears to have no official duties.

The existence of this group of ministers is thought to be due mainly to the Prince Regent's desire to present the outward forms of government as foreigners know them. Certainly the ministers take no share of work off his shoulders. On the contrary many of them are a source of worry to him because of their natural, if unauthorized, ambition to annex a share of the government's income.

In brief the Government of Ethiopia is for practical

purposes

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purposes the Prince Regent, Tafari Makonnen. Nominally the ruler is the Empress Zauditu, but her participation is mainly in the character of an objector to proposals by the Prince Regent. The latter has much influence over the Empress and more and more has his own way. It is said locally that the Empress never proposes anything, either originally or to counter a proposition from the Prince Regent. She merely objects and must be won over by persuasion which may be sound or unsound according to her mood. The Prince Regent is answerable to no one other than to the Empress. There is no legislature, no judicature, no constitution.

Because of his comparative youth (about 35 years) the Prince Regent has not yet consolidated the power of the central government over the provinces. This crumbled somewhat with the decease of the Emperor Menelek II. The Prince Regent is, however, making much progress in rebuilding the power of the central government and it is probable that if and when he succeeds to the throne of Zauditu he will promptly complete the excellent start made as Prince Regent. One by one during the past dozen years have fallen the provincial chiefs opposed to him. There are but few left and such opposition as they represent is given mild strength usually because they are of the "party of the Empress."

The provincial rulers hold positions some by inheritance and others by appointment of the sovereign. The former class are generally the strongest and most

independent

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independent of the central government. The present tendency is to make all provincial rulers appointive. Some of the hereditary rulers are deposed as the result of revolt to the central government. In a few instances the main line of the ruling family falls. Sometimes there are other reasons. The central government then takes over the province and appoints a ruler.

The later Emperor Menelek was, for instance, hereditary ruler of the province or kingdom of Shoa. He made himself master of all Ethiopia and became "king of kings", or king of all the provincial rulers. At one time or another in the history of Ethiopia it has happened that some one provincial king would assert his strength over all the others and become No. 1 king, or Emperor.

The present Prince Regent of Ethiopia inherited the large and rich province of Harrar from his father, the Ras Makonnen. The latter was given the province, which is Moslem, by Menelek, his cousin. The present Empress, a daughter of Menelek, is the wife of Ras Gugsa Wolli. He is king or ruler of Gondar, one of the most ancient kingdoms of the Empire. For state reasons he has been separated from the Empress. The Prince Regent as heir apparent to the throne naturally would not wish the succession to be complicated by the possible birth of children to the Empress. All possible risks of that have been eliminated.

These provincial rulers generally pay tribute in theory to the Empress, and in effect to the Prince Regent. The latter has for some years been quietly replacing such

as

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as were replaceable by adherents of his own. One of his most recent accomplishments in this respect was the appointment of his son in law, Dedjazmatch Desta Demtu, a very able man, as ruler of the great province of Kaffa. The Dedjazmatch Balcha, a favorite eunuch of the late Menelek from whom he received the rulership of the rich country of Sidamo, was recently maneuvered out of his job and the place given by the Prince Regent to a cousin. This practice of deposing hereditary provincial rulers and replacing them by nominated ones, begun by Menelek, has been successfully continued and today Godjam is practically the only important province retaining a hereditary ruler. All of which makes for the strengthening of the central government and should result in the general good of the country.

Even the appointed rulers have their temptations. To prevent mischief from brewing all provincial rulers are periodically in turn invited in the name of the Empress to Addis Ababa "for conference". They are kept waiting a deliberate period before being permitted to return to their provinces. This keeps them in touch with the central government and breaks the continuity of their control over the provinces they rule. All of these rulers maintain a certain number of troops from which the sovereign makes levies in time of war or rebellion. Each ruler who comes into Addis Ababa brings usually the flower and major part of his troops. This offers an occasion for having them quietly investigated by agents of the central government

to

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to determine the state of their loyalty to the Empress or the Prince Regent, or both, as the case may be.

There is thus in progress, and has been for several years, a slow but certain, and not always apparent, progress towards centralization of governmental control. Ethiopia as at present constituted is a fairly homogeneous and related territory and needs only the development of provincial highways and prompt means of communication to consolidate it completely. Rebellions in the provinces occur less and less frequently as hereditary rulers are replaced by nominated ones.

Investigations are now being undertaken by this office to obtain approximate figures as to the military strength, number of rifles, etc., of the various provinces. This data, when collected, will form the subject of a separate report.

That the Prince Regent is highly intelligent, astute, able, agreeable and just, is the good fortune of Ethiopia. Not only has he these qualities but he is progressive along modern economic lines and apparently proposes to use his power and influence to bring about the development of this richest remaining unexploited area of the world.

His position in Ethiopia continues to grow stronger. There was for some years a question as to whether he would be able to maintain himself in the position of Prince Regent and Heir Apparent to the Throne, gained from the revolution of 1916. But he has been successful. There

remains

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remains but one more step or question to the consolidation of his power as supreme ruler of Ethiopia, and the accomplishment of the economic modernization of the country. This final question will be his ability to control the forces of opposition and upset which will be loosed with the death of the Empress. The latter is in ill health and her personal physicians say that she will likely live a few years longer at most.

An early despatch will discuss the various branches and individuals of the present Ethiopian royal family, with special reference to possible claimants to the throne in the event of the death of Her Majesty, the Empress Zauditu.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD
Minister Resident and
Consul General.

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CLASSIFICATION CANCELED AUTHORITY LETTER
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C

MEMORANDUM TO EXPLAIN DIAGRAM.

The Secret Council has a permanent and fixed membership of Her Majesty, the Empress Zauditu, and of His Imperial Highness, the Prince Regent whose name is Tafari Makonnen.

The Interior Council includes always the above two, with Ras Kassa, second cousin to both Zauditu and Tafari and keeper of the deposed Lij Yasu, the Itchigue (or Abouna if there is one) as head of the state church, and one or two Ministers present by invitation. The latter may be invited because of special interest in the matter under discussion, or merely because the Empress or Prince Regent finds their company agreeable.

The Council of Ministers is fairly well fixed in membership. There are four optional places. These are usually filled by invitation to officers specially interested, or according to the exigencies of the particular situation.

The General Council, it may be noted, has as fixed members only three officials. These are the Minister of Foreign Affairs, the Chief Secretary of the Palace, and the Kantiba (Governor of Addis Ababa). The latter is influential because he controls, for potential military purposes, the several thousand men making up the Addis Ababa police force. All other places on this Council are filled by inviting in such of the more influential Rases or Dedjazmatches as may be in Addis Ababa or who may have special interests in the subject under discussion. Ras is the highest title bestowed by the Ethiopian sovereign. Literally it means "Head" or "Chief". It may also mean "King" or "Prince". The next most important title is Dedjazmatch, which is usually interpreted as "General" on the military side, and on the civil side as "Duke." Most provincial governors are either Ras or Dedjazmatch.

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MEMORANDUM TO EXPLAIN DIAGRAM.

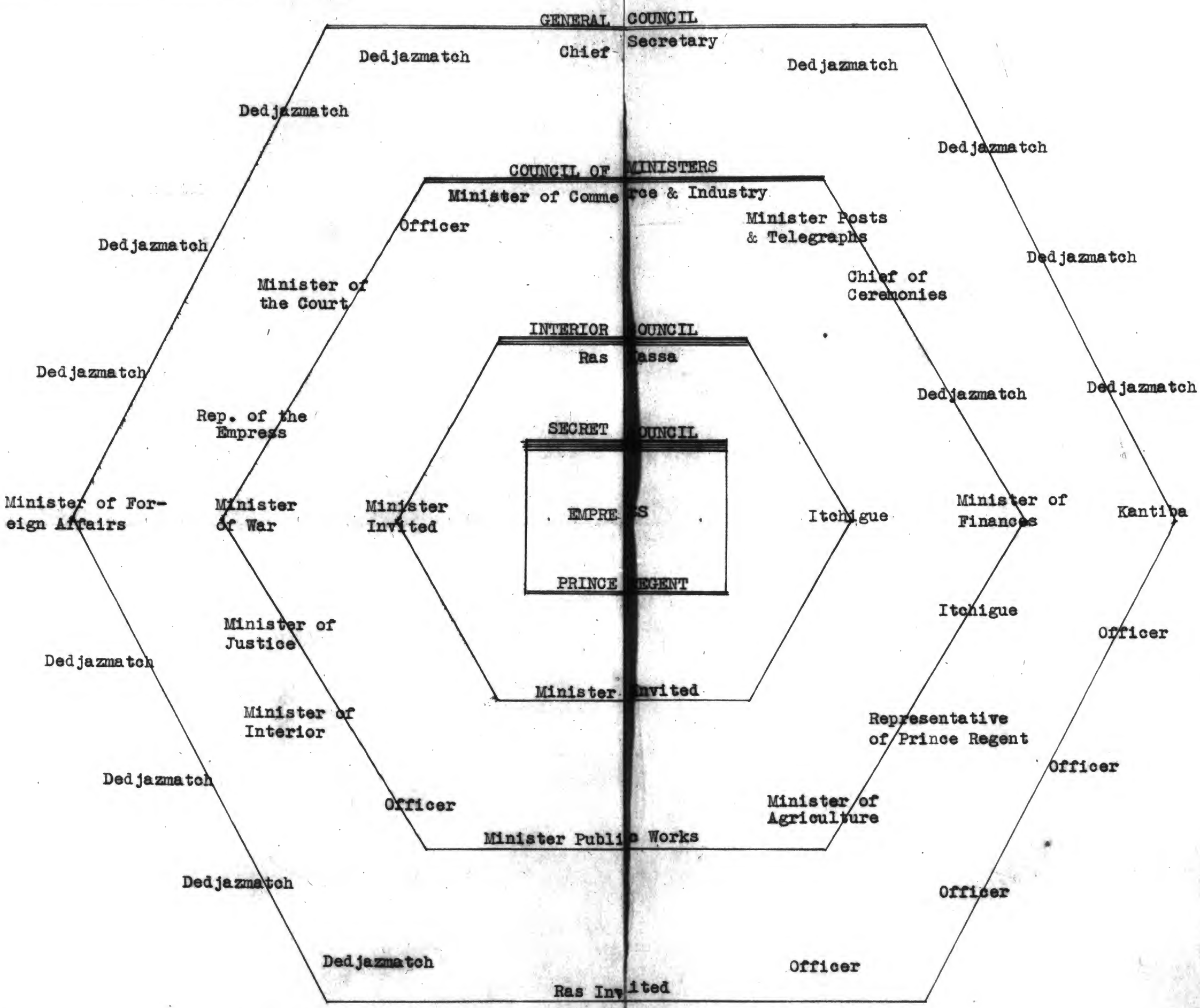
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See p. 5 - Decrees No. 76 of Oct. 9, 1928 for reorganization of Council of Interior Ministers.

A. E. S.

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BY William Lescure DATE July 17, 1962

DOCUMENT FILE

NOTE

SEE 884.001 Tafari/9 FOR #62

FROM Abyssinia (Southard) DATED Sept.7,1928
TO NAME

1—1127 GPO

INDEX BUREAU
884.01/6

REGARDING: rumors of contemplated abdication of Ethiopian throne by Empress Zeoditu in favor of Prince Regent Tafari, and particular observations on the conflicting administration forces in the Government and the waning influence of the followers and officers of the Empress.

Wh

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

DOCUMENT FILE

NOTE

SEE 884.001 Tafari/17 FOR #76

FROM Abyssinia (Southard) DATED Oct 9, 1928
TO NAME

1—1127 GPO

DECIMAL FILE INDEX BUREAU
884.001 Tafari/17

REGARDING:

Change in the Government will probably take place wherein the Secret Councils will become a sort of Supreme Council with the Empress, King and Ras Kassa as members. Understanding of Ethiopian chieftains who made possible the coronation of Tafari as King that they would be members of a real Cabinet headed by Ras Kassa as Prime Minister. Believes that there is sufficient number of "young Ethiopians" to prepare the ground for a constitutional form of Government.

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OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17 1962

Addis Ababa,
Ethiopia, October 9th, 1928.

No. 76.

The Honorable
The Secretary of State,
Washington.

Sir:

I have the honor, in continuation of my Despatch No. 75 of October 8th, 1928, to submit the following comment on certain features related to the coronation of His Majesty, Tafari Makonnen, King, Regent Plenipotentiary and Heir to the Throne of Ethiopia.

As indicated in the series of despatches leading up to the coronation the actual conferring of the crown was definitely decided upon scarcely two weeks prior to the event. Preparations had, therefore, to be made somewhat hastily. Triumphal arches, street decorations, and

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and the like, were barely finished in time. By special effort the foreign Governments concerned procured the arrival in time for the coronation of the neighboring Governors of Eritrea, French Somaliland, and British Somaliland, respectively. There were no other special delegates to the coronation although it is probable that many European Governments, and Egypt, would have sent special representatives had there been time. Such is the international rivalry for Ethiopian favor.

There developed argument and considerable jealousy as to the precedence among the Colonial Governors present. The Governor of French Somaliland is the senior, in local service, of the three present. However, H. E. Corrado Zoli, Governor General of Eritrea, claimed precedence on account of having previously been Under Secretary of State for Colonies in Rome. He gained his point much to the chagrin of the French who are particularly annoyed with the Italians over the recently negotiated Italo-Ethiopian treaty previously reported upon at length from this office. The French Governor got second place and the British Governor third place. This was balm of sorts to French pride, as, next to that of the Italians, they probably resent most the British activity in Ethiopian affairs. This situation added interest to the occasion for the more or less neutral observer such as myself.

There has during the past few weeks been a remarkable rise of Italian prestige and influence in Addis Ababa owing

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owing to the accomplished liaison with the interests of King Tafari. There has been no change in the anti-Italian attitude of the Empress and the party of Menelek. The issue over the Italo-Ethiopian treaty, as reported in my Despatch No. 56 of August 6th, 1928, doubtless brought about the situation which resulted in the crowning of Tafari as King. The Empress doesn't care and probably doesn't think much about the matter as her life is mostly devoted to religion. But her followers do think about it and probably have attained to increased resentment and disrespect of Italians if such be possible. However, under the present turn of events they are impotent. Tafari is in the saddle and apparently firmly. Success in this country comes to the opportunist and the lately created King is supreme as an opportunist. It is difficult to imagine that his march to the throne of Emperor can be stopped. His own power and following is highly organized. It is perhaps at present a minority in numbers, but the opposition is not organized and has no leaders who can approach Tafari in intelligence and ability.

So far as I can learn the various foreign Governments represented here were the donors of coronation gifts to His Majesty. In view of what I understand to be the Department's attitude in such matters I have made no recommendations as to a present. A present to be appreciated by Ethiopian royalty must now be one of considerable value.

His

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His Majesty conferred decorations of the Orders of Star of Ethiopia, of Menelek, and of Solomon, according to circumstances, on the various heads of Legations and their staffs and upon the visiting Colonial Governors and their staffs. No decorations were offered to any member of the American Legation and Consulate General as I had on a previous occasion informally told the Minister of Foreign Affairs of our inability to accept. The German Minister and his assistants here are not permitted to wear decorations but they accepted those offered on this occasion of the coronation. In addition to the foreigners decorated there were, of course, various Ethiopians honored in this manner.

It should perhaps be recorded in passing that, from the Oriental way of looking at matters which prevails here, our prestige has not been enhanced by the circumstances of the coronation of King Tafari. Among the reasons for a probable dimming of the lustre of our prestige were our failure to give expensive presents or decorations; our inability to accept from His Majesty the decorations offered all others; our inability to wear a dazzling uniform of the sort ornamenting the persons of other representatives and which impress the Ethiopian public as nothing else does; our inability to attend the various functions and ceremonies in a handsome motor car attended by the galloping cavalrymen in resplendent dress which are maintained for such purposes by the other Legations; our inability to offer elaborate social entertainment for which other official representatives

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tives here are given generous entertainment allowances; and the inferior grade of our Diplomatic rank as compared with that of the representatives of other Governments maintaining Legations in Addis Ababa. Probably most of these matters cannot be helped. Some are unimportant. They are mentioned mainly to assist the Department in estimating and appreciating local viewpoint.

I obtain from a reasonably authoritative source information which will perhaps cause the diagram of government given with my Despatch No. 39 of June 19th, 1928, to be changed in some respects. The Interior and Secret Councils therein suggested will, under the new arrangement, become a sort of Supreme Council with the Empress, the King, and Ras Kassa as members. I hear that a document has been drawn up between these three to provide that the King will take no action until the Supreme Council shall have unanimously agreed. Should this be true it may mean that King Tafari's new title of Regent Plenipotentiary is not as real as it sounds. But no more than conjecture can be made at present.

There is also fairly reliable rumor that the Ethiopian chieftains who made possible the coronation of Tafari did so with the understanding that he would later form an actual and real cabinet headed by Ras Kassa as Prime Minister. There is at present a cabinet in name, or on paper. But the Ministers are mere figureheads and have had practically no power and

practically

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practically no functions other than carrying out the detailed instructions of the Regent.

This leads up to a growing impression I have that there are now a sufficient number of "young Ethiopians" of foreign education or sympathies to prepare the ground for a constitutional form of government to take the place of the absolute monarchy now ruling. In effect I have been informed confidentially by some Ethiopians of influential position that their support has been given to Tafari on the implied understanding that he would not be unsympathetic to a more representative form of government. One of the elder Ethiopian leaders, who has spent some time in Europe, displayed in conversation with me even a distinct leaning towards a Republican form of Government. But nine out of ten of the present ruling class would regard this as heresy. At any rate there are beginning to show in Ethiopia signs of the times. This particular development will be closely followed.

There will doubtless be a number of interesting effects of the coronation of Tafari. But for a few weeks there will likely be little of a definite nature to record, other than the brief impressions given in the preceding paragraphs. Political, and other, research is difficult in Ethiopia because of the absence of official documents and of a public press which in other countries discusses such matters. Also there is practically no reliable information in other printed form. Most of the books written on Ethiopia are the

result

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result of brief sojourns in the country by professional writers whose effort is to seek out the spectacular with which to entertain the public and sell their books. Historical, political and economic data are of little use for their purposes and are seldom checked for accuracy when obtainable. There has for these reasons been a vast amount of misinformation written on Ethiopia.

Practically all the information which I collect is the result of long and painstaking oral research. There is no other procedure. The Ethiopians are reticent in discussing such matters and practically no one is found who has anything approaching a complete idea and analysis of a given situation. Many persons must be consulted on each topic and the results tabulated, boiled down, and averaged. Much time and patience, as well as a fine discrimination between fact and fancy are required.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. GOULD.

File No. 800.1
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A copy of
this original
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CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17, 1962

DOCUMENT FILE

NOTE

SEE 884.00/151 FOR #158

FROM Abyssinia (Southard) DATED March 5,1929
TO NAME

1—1127

REGARDING: inability of central government of King Tafari to maintain proper military and police discipline in outlying provinces, because of restriction by Britain, France and Italy of importation of arms and ammunition into Ethiopia, probably with view to strangulation of Ethiopia as a sovereign state.

884.00/488

Wh

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DOCUMENT FILE

NOTE

SEE 884.00/156 FOR # 174

FROM Abyssinia (Southard) DATED Apr 2, 1929
TO NAME

1—1127

REGARDING: embarrassment of King Tafari and the central government of Ethiopia by refusal of provincial chiefs to recognize passports.

INDEX BUREAU
884.488
01/10

b

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DOCUMENT FILE

NOTE

SEE 884.00/150 FOR # 152

FROM Abyssinia (Southard) DATED Feb 25, 1929
TO NAME

1—1127

884.48

INDEX

11/10

REGARDING: willingness of King Tafari that a protest be made by the Germans and Italians over the detention of the Pruffer-Porta party, in order that he will have an issue with Ras Guksa, who, the King now feels, he can now discipline for his various insubordinations.

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DOCUMENT FILE

NOTE

INDEX BUREAU
884.01/12

SEE 884.012/4 FOR # 249

FROM Abyssinia (Southard) DATED August 27, 1929.
TO NAME

1—1127

REGARDING: the prospects for an Ethiopian Constitution and comments on the form of government in Ethiopia. The present basis of all court procedure is the Fetha Negust, an ancient code of laws of religious origin and interpretation.

mb

CLASSIFICATION CANCELED AUTHORITY LE
OF 1-8-58 FROM W. H. ANDERSON, STATE DI
BY William Lescure DATE July 17, 196

ably delayed.

Ethiopia has no constitution and there is no prospect of one within the next few years. The form of government is more nearly that of an absolute monarchy than otherwise. The rulers are an Empress and a King, but the latter exercises almost complete power in his capacity as Regent Plenipotentiary of the Empire. There is a cabinet of nominal Ministers (many of them feudal chieftains) whose advice the rulers sometimes ask more as a matter of form than with any intention of adopting it. The cabinet ministers are all figureheads in effect and exercise no power outside of very minor internal administration. There is no legislative body. The present basis of all court procedure is the Fetha Negust, an ancient code of laws of more or less religious origin and interpretation. This code is supplemented by an occasional royal decree and an occasional municipal ordinance.

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PM RECD
INDEX BUR.
SEP 12 3 4 5 6 7 8 9 10 11 12 1 2
DEPT. OF STATE

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

NE
H4

August 15th, 1929.

SEP 19 29

DEPARTMENT OF STATE
SEP 19 1929
DIVISION OF
NEAR EASTERN AFFAIRS

Instr. to Addis Ababa 10/3/29
PHA/WLB.

October 8, 1929.

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No. 242.

Note
884.102
884.001
884.014

HISTORICAL ADVISER
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10/11/1929
OCT 10 1929
DEPT. OF STATE

FILED
OCT 11 1929

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to forward herewith for the Department's information and possible use in considering despatches and reports from the Legation a tentative list of the provincial governors of Ethiopia.

The list indicates the districts governed, of which many will be found on no existing map. Many of the areas named have no definite boundaries and jurisdiction is often a matter of arrangement or compromise between neighboring provincial governors. As the main duty, ambition, and interest of every Ethiopian governor is an intensive collection of taxes the vague provincial boundaries are constant sources of dispute and friction.

Only

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Only the Rases and more important Dedjazmatches seem to be able to assert the boundaries of their respective provinces and even then there is no survey. The boundaries are often located by villages, that is a certain village will belong to one province and the next neighboring village to another province. The territory between is divided half and half. Also the central government is constantly restricting and expanding the areas given to various governors. Should a certain governor die today his successor may be given his exact territory or he may be given a half less or, on occasion, a half more at the expense of some neighboring governor. In these respects the Ethiopians appear to have no system; at least they have no system which the Occidental mind can comprehend and follow.

At the end of the list will be noted provinces listed as governed by the Empress and the King. This means that the two rulers receive direct taxation from the territories named which are governed for them by others. Among other areas governed by proxy are Nos. 19, 24, 44, and 51 on the enclosed list. The governors listed opposite these numbers are officers of the Empress or King who reside in Addis Ababa but have these territories allotted to them for collection of revenue. The list is numbered more or less arbitrarily and not according to the importance of the governors excepting at the beginning where all the Rases are listed. The two most important names on the list (Nos. 5 and 13) from

the

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the viewpoint of potential trouble for the central government are Ras Hailou Takle Haymanot and Dedjazmatch Ayalou. Ras Guksa Wolie, No. 1, is the husband of the Empress from whom she has been separated for political reasons. Ras Kassa, No. 3 on the list, is an immediate member of the Royal Family and nearer by right of inheritance to the throne than is King Tafari. He, however, is not ambitious for the throne and is considered a supporter of both the Empress and of Tafari.

The Legation has started the work of collecting biographical data on all these provincial governors but in a country such as Ethiopia where there are no accessible written records and where all reliable information must be collected mainly from oral sources the work is very slow. However, as time can be spared from more pressing duties these data will be assembled and submitted to the Department on the forms provided. No rapid progress can be made and a long while will elapse before, with our present staff, any appreciable number of records can be completed. Any newly arrived officer would require probably a year of training and acquaintance before he could undertake this sort of work with any reasonable accuracy or speed.

The Legation has also considered the preparation of a rough sketch map showing the approximate location and boundaries of these various provincial areas but such work is at present quite beyond our resources. An experienced man would require many months of intensive

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sive work to assemble even approximate data and we have no such experienced man other than the writer whose time is already more than occupied with current duties. I could, of course, direct an officer with aptitude for such work but no such officer is at present available for the purpose. The Ethiopian Government will in time, particularly if and when it acquires foreign advisers, assemble data of the kind and take steps for surveying the boundaries of provinces. Many years will elapse before that occurs and the Legation will in the meantime do such work with that general objective as the time and resources at its disposal permit. The other Legations in Addis Ababa have devoted much time to the collection in confidential form of this king of data but they naturally are not disposed to make completely available to us the results of their own long years of confidential work and much financial expense. Also much of their information is not as accurate as that which we could ourselves obtain from original sources. This Legation has, of course, such relations with other Legations here as to be able to exchange on a friendly basis certain kinds of information but we have nothing to offer in exchange for so confidential and comprehensive a survey as the one indicated.

Considering that Ethiopia is in a state of transition from the old feudal form of government the attached list is not at all a stable one. Changes are constantly occurring.

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occurring. There is also a wide range of error or difference in the transliteration of Ethiopian geographical and family names. Our own interpretations are nearer those of the British Legation but even we do not always agree. The French and Italians write some of these names in an orthographical form which would make them unrecognizable when placed alongside the English version. There are also etymological differences to consider. There appears to be no central or standardized authority for the transliteration of Amharic characters into our own. This Legation bases its spelling of Amharic names mainly on the practice of the local British Legation, but with American variations which seem clearer and more practical. We adhere to a chosen spelling once it is used and by this practice there should in a few years be established a more or less standardized Anglo-American spelling. Much difficulty often arises in deciding whether to make certain consonants double or single. Vowel sounds offer even greater difficulty. There is a wide range of choice, and of practice, in the matter of what combinations of letters to use in interpreting certain sounds. Accents are also difficult to indicate. The Legation would appreciate any suggestions which the Department might have in this matter of the transliteration of Amharic.

The Ethiopians themselves do not always use uniform pronunciation or inflection for identic family or place names. Sometimes they even shorten them in confusing manner.

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manner. There is also much repetition of family as well as of given names among all classes of the people.

This report will, of course, be supplemented from time to time by more detailed and extended information. It will, however, be sufficient to indicate for the present to the Department the vastness and difficulties of our local field of operation in certain respects and will explain why our progress in the compilation of basic information is necessarily slow and tedious.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

List Enclosed.

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BY William Lescure DATE July 17, 1962

Enclosure to Despatch No. 242 of August 15th, 1929, from Addison E. Southard, Minister and Consul General at Addis Ababa, Ethiopia.

LIST OF ETHIOPIAN PROVINCES WITH THEIR GOVERNORS.

Names of Governors.	Names of Provinces.
1. Ras Guksa Wolie	Begemeder, Denbia, Gondar, Armatcho, Goumét (capitals Gondar and Dabre Tabor).
2. Ras Kabada Mangasha	Wadla, Dalanta, Yejou, Shedého (capital Marto).
3. Ras Kassa Dargé	Marabété, Salalé, Jida, Borona, Dara, Jarso, Gundébrét (capital Fitché).
4. Ras Nado	Ili-Babour, Motcha, Didu, Masango, Houroumou, Baggo (capital Goré).
5. Ras Hailou Takle Haymanot	Godjam, Agawmeder, Gouba, Atchifar, Métcha, Zugé, Sabatbét-Agaw (capital Dabre-Markos).
6. Ras Guksa Aria	Part of Tigré (capital Macallé).
7. Ras Siyum Mangasha	Adowa, Tumbel, Axum (capital Adowa).
8. Ras Hapta Mariam	Wollaga (part of) (capital Arjo).
9. Ras Béshire Abaybét	Jiffa, Tanta (in Wollo).
10. Bituaded Woldé Gabriel	Tchélia.
11. Bituaded Gétatcho Abata	Yifrata, Jillé, Toumouga.
12. Waagshoum Kabada	Waag (in Tigré).
13. Dedjazmatch Ayalou	Angourab, Wogara, Semein, Wolekayat, Dagada (capital Dabat).
14. Dedjazmatch Admasou	Amhara-Sayent.
15. Dedjazmatch Kufato	Gishé.
16. Dedjazmatch Matafaria	Métcha (a part of).
17. Dedjazmatch Galé	Maska (in Gouragé).

18.

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Enclosure.

Names of Governors.	Names of Provinces.
18. Dedjazmatch Gabré Selassie	Métcha (the other part).
19. Dedjazmatch Mouloughéta	Gouragé, Ourbarag, Silté.
20. Dedjazmatch Mashasha Wolde	Kambata.
21. Dedjazmatch Iguzu	Wollamo (Sodda).
22. Dedjazmatch Biru	Sidamo, Boroda (Agare-Selam).
23. Dedjazmatch Haile Selassie	Balé, Magalo (capital Gobba).
24. Dedjazmatch Wolde Tadick	Arussi (capital Yetosa).
25. Dedjazmatch Wondirad	Limou.
26. Dedjazmatch Siyum Lulsagut	Konta (died recently).
27. Dedjazmatch Mérid	Bako, Gofa, Malo, Uba.
28. Dedjazmatch Kabada Gangoul	Wofla-Shangé (in Tigré).
29. Dedjazmatch Makonnen Tuhoun-Belay	Furas, Dufer, Baso.
30. Dedjazmatch Mashasha Tuhoun-Belay	Jirou.
31. Dedjazmatch Makuria Gurmamé	Hamougorke, Gamou.
32. Dedjazmatch Hapte Mikael	Koulo.
33. Dedjazmatch Asafa Lulsgut	Magi, Goldia (capital Magi).
34. Dedjazmatch Desta Demtu	Kaffa, Gumma (capital Shéréda).
35. Dedjazmatch Tayé	Gourafarda, Gimira.
36. Dedjazmatch Hapte Mariam Gabre Izebehere	Wollaga (capital Lekempti).
37. Dedjazmatch Makonnen Wosané	Abigar (capital Sayo).
38. Dedjazmatch Makonnen Démisé	Sibou.
39. Dedjazmatch Adafreso	Nono.
40. Dedjazmatch Ababara Tadla	Raya, Asabo, Unsulalé.

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	Names of Governors.	Names of Provinces.
41.	Dedjazmatch Ababa Demtu	Bati, Garfa, Kututayé, Aussa (capital Arjo).
42.	Dedjazmatch Haile Sellassie Aba Jebel	Laga Ambo (in Wollo).
43.	Dedjazmatch Tesfou	Laga Hida (in Wollo).
44.	Dedjazmatch Wolde Giorgis	Laga Gora (in Wollo).
45.	Dedjazmatch Yoséf	Ruké, Jaffa.
46.	Azaz Dagafé	Ankober, Adal, Aussa (part of).
47.	Sheikh Hojali el Hassan	Beni Shangul (capital Belfedio).
48.	Aba Jifar	Djimma (capital Jirren).
49.	Likamaquas Makonnen	Thibé.
50.	Likamaquas Ambatcho	Geira.
51.	Fitaurari Amdi	Doréné, Déga.
52.	Fitaurari Awraris	Ménz.
53.	Fitaurari Tasso	Karayou.
54.	Fitaurari Datchasa	Shonkora.
55.	Fitaurari Desta Shuleshi	Koira.
56.	Fitaurari Asrate	Toké.
57.	Fitaurari Gezaw Jimma	Gotcha.
58.	Fitaurari Wolde Mariam	Unémor, Tukouv-Muder.
59.	Fitaurari Ambaw Goulelaté	Kaawot (near Ménz).
60.	Fitaurari Wolde (Hapta Giorgis' servant)	Bayo, Zala, Knso.
61.	Fitaurari Balamuh Dabalke	Jinjéro.
62.	Dedjazmatch Tesama Tchatcha	Gola.
63.	Ligaba Wodajo.	Loumé.
64.	Tzafitizaz Woldé Maskal	Roufa.
65.	Tzafitizaz Afawork	Worana.

66.

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Names of Governors.		Names of Provinces.
66.	Negadras Tanna Gasha	Bilo (in Wollaga).
67.	Ganazmatch Wirko Jalé	Kosha (near Konta).
68.	His Majesty, the King	Harrar, Wollo (a portion), Tchabo, Borana, Amiya, Woliso.
69.	Her Majesty, the Empress	Moulo, Ejarsafalou, Woré-Hailou, Sala-Dungay, Boulgay.

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BY William Lescure DATE July 17 1962

AM RECD
DEC 20 29

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

November 22nd, 1929.

DEPARTMENT OF STATE
DEC 27 1929
DIVISION OF
NEAR EASTERN AFFAIRS

INDEX BUREAU
884.01/114

AM RECD
DEC 20 29

FOR DISTRIBUTION - CHECK Yes No
To Field
U. S. A.

No. 294.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to report the death, presumably from natural causes, of Ras Nado at Goré in southwestern Ethiopia, on November 13th, 1929.

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DEC 27 1929

Ras Nado is No. 4 on the list of Governors sent as enclosure with the Legation's No. 242 of August 15th, 1929, and is there shown as the ruler of the districts of Ili-Babour, Motcha, Didu, Masango, Hourcumou, and Baggo. These districts are all in the great province of Wollega and Nado was commonly called the Governor of Wollega. He was born in 1868 and is of the nobility of the country with possibly some

slight

CLASSIFICATION CANCELED AUTHORITY LETTER
OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
BY William Lescure DATE July 17 1962

slight relation to royalty dating back many generations. He has been one of the most enlightened and progressive of the Ethiopian provincial governors and has frequently been mentioned in despatches from the Legation. For the past thirty years he has been a member of most of the Ethiopian delegations to Europe and learned much of Occidental ways. He was the head of the Ethiopian delegation which visited the United States in 1920.

This officer was accepted generally as a member of the socalled Old Party in Ethiopian politics and as such possessed much influence with the Empress. However, he was also an admirer and friend of King Tafari and rendered His Majesty many services in his relations with the Empress and with the party of the Church. He was regarded as a Tafari man in political affairs and his death will undoubtedly be a great personal as well as political loss to the King. Nado had taken as an adopted son, after an Ethiopian custom, the Dedjazmatch Desta Demtu who is son-in-law of the King, and present rumor is that Demtu will inherit not only most of Nado's considerable property but may succeed him as Governor of the Goré area indicated.

Nado was looked upon with affection by most of the leading Ethiopians, whether of the Old Party or of the New Party, and was thus able to use his influence for harmonizing party friction in Tafari's favor. He was considered as pro-American and as in favor of the Tsana Dam and as the friend of the American Presbyterian missionaries

missionaries who have their principal provincial station at Goré. His death was probably hastened by his decidedly bibulous habits which increased with his years.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

December 16th, 1929.

FOR DISTRIBUTION — CLERK — Yes No

AM RECD BUREAU OF STATE DEPT OF STATE JAN 23 30

No. 307.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's No. 294 of November 22nd, 1929, 884.01/14 reporting the death at Goré of Ras Nado.

The Legation has now received a copy of a report on the death of Ras Nado prepared by Doctor Virgil M. Dougherty of the American Presbyterian Mission at Goré. This report tends to confirm in a manner the many rumors which exist that Ras Nado was toxicologically assisted in going to his Maker, and is for that reason considered of sufficient importance to enclose herewith in copy. The report also gives somewhat interesting lights on the atmosphere surrounding the household of the average highly placed

DEPARTMENT OF STATE JAN 27 1930 DIVISION OF NEAR EASTERN AFFAIRS

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FILED JAN 27 1930

placed Ethiopian official.

Rumors of the poisoning of Ras Nado do not point direct suspicion at any one individual or party but his possible enemies would be those of King Tafari and his party. The Doctor Lanzoni mentioned in Doctor Dougherty's report is an Italian banished from Italy because of his anti-Fascisti activities. He now holds a minor appointment under the Ethiopian Government. Lanzoni was at one time an officer of the Eritrean Government and was well known as an intriguer in Asir, Yemen and other Red Sea Arabian affairs. Judging from his reputation of which I have had first-hand knowledge off and on over a period of some twelve years he might possibly be capable of serving as a tool for the administration of the poison which it is alleged was fed to hasten the end of Ras Nado.

The death of Ras Nado may easily lead to complications in the at present somewhat finely balanced state of Ethiopian internal politics, hence the importance which the Legation has given to the affair. He died on November 12th, 1929, and no definite activity relating to his affairs and position may be expected until after the customary forty days of mourning which are always more or less strictly and religiously observed in connection with deaths among Ethiopian royalty or nobility.

In closing this despatch I should also like to record the opinion that Doctor Dougherty may find that

he

he was not entirely discreet in preparing and circulating such a frank report on the matter, particularly in view of the possible political ramifications from Ras Nado's death. As the Department will know from previous Legation reports the situation of all foreign missionaries in the country has been somewhat disturbed during the past year or so. Any connection, either actual or suspicioned, of individual missionaries with political matters could easily react adversely on the work of their organization as a whole. Doctor Dougherty's intentions have, of course, been quite of the best but whether he has kept entirely within the bounds of discretion will not appear until later. This is a peculiar country in that relation.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

1 Enclosure.

Enclosure with Despatch No. 307 of December 16th, 1929,
from Addison E. Southard, Minister and Consul General
at Addis Ababa, Ethiopia.

C o p y.

VIRGIL F. DOUGHERTY, M.D.
c/o American Mission
Gorei, Abyssinia, Africa

29th November 1929.

The American Minister,
Addis Ababa, Ethiopia.

Dear Mr. Southard:

I am sending herewith my report on the final illness and death of our late governor, Ras Nado. I have sent the duplicate to the British Consul, Captain Erskine. He has already received a report written by Dr. Lanzoni, whom I assented to his calling in consultation. It is written in French and was interpreted to me by the Consul, who will be forwarding it and the duplicate of the report I am enclosing to his own legation. He thought that yourself and the English minister might talk over the matter with the King. I mention this in order that the English minister may not "hog" it all unless it be by your consent.

I was tempted to write something about Dr. Lanzoni but on second thought I decided that you probably had all the information you cared for on him, if indeed, you care for any at all. He was, however, "a thorn in the flesh" from the day that I assented to the Consul's calling him.

As you have probably heard, Dejazmatch Desta Dumto, the King's son-in-law, is now in charge of things in Illu Babour. He arrived only a few hours after the death of the Ras. He brought his wife, the Princess, with him as though he had come to stay. It seems to be the general opinion that, next to the late Ras, there is no one more likely to make a good governor for this province than Dejazmatch Desta Dumto. I presume that no definite settlement will be made until after the forty days of mourning are over. It is essential that a broad-minded man with progressive ideas should be selected for this post, or else the development of this part of the country will be retarded if not definitely thrown back. I think that a petition from the merchants of Gorei will probably be sent to the King when the matter of appointing Ras Nado's successor comes up. I presume that in such case there would be no objection to our signing such a petition. If you think that it would be wiser for us to refrain from so doing please let me know by return post if

possible.

possible. We do not, that is, want to even seem to enter into politics. I think that a former member of our mission did enough of that to last us all for life. We cannot deny, however, that we are interested in certain political issues. The question is: How far can we go without "getting into politics"?

Mrs. Dougherty joins me in sending the Season's greetings and our very best wishes to you and yours,

Sincerely,

(Sgd.) Virgil F. Dougherty.

------oOo------

TO WHOM IT MAY CONCERN:

This is to certify that about eleven o'clock on the morning of Tuesday, October 29th 1929, I, the undersigned, received an urgent call to make a professional visit to His Excellency Ras Nado. Arriving a few minutes later at his bed-chamber I found the attendants much alarmed because their master had not awakened since retiring the night before. They assured me that he had never been known to do this before.

On examination I found him in a deep slumber from which he could not be aroused except to mumble a word or two before he relapsed into stupor again. He gave me no information. On questioning the attendants one admitted that the Ras had, on the preceding evening, taken some native medicine prepared with honey as a vehicle. The others denied this. They did inform me that the Ras had been having pain in the region of the liver.

Physical examination revealed some ptosis of the abdomen and a small amount of ascites, but no swelling of the lower limbs. The pupils were not contracted but were equal and responded to light. The liver was normal in size. There was a loud blowing murmer of the heart which entirely replaced the first sound, apparently due to roughening of the aorta, the arch of which was considerably widened.

Thinking to give a stimulant to overcome the sedative effect of the drug which he had taken, I prepared a hypodermic injection but at the prick of the needle the patient jerked away and resisted rather violently all attempts to give the injection so that it was abandoned.

About mid-afternoon I visited him again and found that he had aroused from his stupor and at this time he admitted having taken some native medicine — for a

purge,

purge, he said.

(From other sources I was later informed that he had taken this medicine at the instigation of his favorite niece in order to cure a supposed case of gonorrhoea. I say "supposed" because I saw no evidences of gonorrhoea nor did the patient complain of any of the symptoms of gonorrhoea while under my care, and further I was informed that Dr. Lanzoni, who had attended him during a previous illness, had no information to corroborate such a diagnosis. On the other hand it is a well known fact that many cases of pain in the abdomen, especially in the epigastric region, are believed by the natives to be due to gonorrhoea. The Ras was subject to such pain at times. I have been unable to find out what was the medicine administered but one man said it was a medicine supposed to kill or cure. The niece mentioned above preceded her uncle over the Styx by a few days and her case also suggested poisoning, although she did not admit having taken any drug. It is said by some that she partook of the same concoction which she urged upon the Ras. I cannot vouch for the accuracy of any of these things which I have been told but personally I am inclined to believe them.)

(There are also certain statements which have been made concerning the period which preceded the fatal illness. There are those who maintain that the Ras was improving in health from sometime in April until within a month or so of his final sickness. There are others who have informed me that from April on he had been slowly failing in health but that he had hidden his sickness from all but his nearest attendants. This sickness was manifested, they said, by pain in the abdomen, and he is said to have worn a belt beneath his shirt which he could tighten without being observed -- the pressure evidently alleviating the pain to some extent. I cannot corroborate either of these views, nor do I feel it my duty to give an opinion since it is but an opinion.)

On visiting the Ras again in the evening of the first day of his illness I found him reclining in his audience chamber. He appeared to have no recollection of either of my previous visits. He asserted vigorously that he was well, and seemed, indeed, quite himself except that he was weaker than normal.

The next day I was informed that he had not eaten for several days (for no reason which I could find) and from that time on I was obliged to feed him practically every bite with my own hand. He had, for some time, had an "intention tremor" which made it a little difficult and, I presume, rather embarassing for him to feed himself. He would seldom accept the aid of

his

his servants and, further, they were never insistent enough upon his partaking of food so that it was necessary that I feed him since he had often to be persuaded to eat at all, -- a thing which his body servants either could not or would not do.

In the morning he complained of some pain in the region of the liver and about this time also complained of pain in the epigastrium which seemed permanently relieved by the administration of a powder containing sodium bicarbonate, magnesium oxide and bismuth subnitrate.

The following day, Thursday, he was improved enough in strength that I deemed it safe to administer a small dose (0.45 Gram) of neosalvarsan intravenously in the hope of arresting that portion of the disease of the liver which was due to syphilis. This he bore well and the jaundice which was present at the time of the injection decreased and the patient increased in strength during both of the following days -- November 1st and 2d. His mind, which was befogged at first, seemed practically normal when I saw him last on the evening of the second.

On the morning of the third I found that he had had a serious relapse which I was unable to account for at the time but which the black fecal material passed a few hours later evidenced to have been caused, in all probability, by a hemorrhage of the gastro-intestinal tract.

At this time I assented to the calling of Dr. Lanzoni, who insisted on the administration of digitalis, though there were no indications of decompensation of the heart. Aside from the heart murmur mentioned the pulse was 96 and respirations about 26 per minute. This was, no doubt, due to the hemorrhage.

During the administration of the digitalis the ascites increased, even though the pulse rate became as low as 72. (As there was no pulse deficit, the pulse rate was also the heart rate.) The patient had no more hemorrhages and gained in strength.

The failure of the digitalis strengthened my belief that the heart was not seriously involved and so the digitalis was discontinued, and theobromine, again at the insistence of Dr. Lanzoni, was given instead. Personally I had more faith in the strictly milk diet upon which the patient was put. The indications for these measures were scanty, dark-colored (from bile pigments) urine and an increasing ascites. The output of urine was somewhat increased but the ascites was also increasing. (The ascites never reached the point at which the use of the trocar was deemed advisable.)

able.)

During this time (on 5th November) I gave a second small injection (0.6 Gm.) of neosalvarsan which was also apparently well borne. (The urine had been examined and no albumen or other indication of nephritis was found, and so neosalvarsan seemed not to be contra-indicated.)

About the 9th of November the patient began having attacks of epistaxis, but these were not serious and no blood showed in the stools. On the 10th he also had some bleeding from the nose, but again only a small amount and with no evidence of hemorrhage from the stomach or intestines. The bleeding was a little more profuse on the 11th and the nose was packed by Dr. Lanzoni with cotton treated with ferric perchloride. During this time a purge of calomel was given.

At three o'clock in the morning of the 12th I was urgently summoned to the Ras' bedside and found him bleeding rather profusely from the nose. I proceeded to pack the nostrils with cotton pledgets saturated with adrenaline and the bleeding seemed to be checked. From time to time I repeated these applications. About seven o'clock in the morning the Ras became suddenly weak and in a few minutes was dead. Adrenaline and ergotine were contraindicated even if there had have been time to have administered them.

The blood lost from the nose was not sufficient, in my opinion, to have caused death and my belief is that there was a massive hemorrhage from the gastro-intestinal tract.

The diagnosis was chronic interstitial cirrhosis of the liver due to syphilis and the abuse of alcohol. It is quite likely that there was some hepato-toxic agent in the native medicine which the Ras took and which, as related, initiated his final illness. Since I have been unable to obtain any of this drug or mixture of drugs I have not been able to verify this suspicion. Bleeding from the nose stomach and intestines is a common accompaniment of this disease. After the beginning of ascites the average expectation of life is not more than one or two years and I had not expected that Ras Nado would live more than three months but it was quite a shock to have him pass away so soon.

(Sgd.) Virgil F. Dougherty M.D.

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DEC 9 1928
Dept. of State

Index + File.
GW.

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

November 22, 1926

INDEX BUREAU
DEC 9 1926
DEPT. OF STATE

Conversation: With Harold Ashlyn White

Subject: American Advisers for Abyssinia.

PRESENT: Messrs. Murray and Wadsworth.

On November 22 Mr. White called upon the Under Secretary to discuss the question of American assistance to Abyssinia and he was referred to me by Mr. Grew.

It appears that Mr. White has been for the last 18 months in Abyssinia, first as representative of the Field Museum of Chicago and latterly of the American Museum, New York City. He has been in that country for the purpose of collecting specimens of fauna and flora and certain species of wild animals. He has apparently been on most intimate terms with the Abyssinian authorities, particularly Ras Tafari, the Regent, who commissioned him to make considerable purchases of agricultural implements in this country for shipment to Abyssinia. He was at the same time requested by the Regent to inquire discreetly of this Government as to the possibility of the early re-establishment of diplomatic and consular relations with Abyssinia and to sound out the possibility

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DEC 9 1926
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of

of engaging American advisers for the financial, agricultural, and engineering needs of Abyssinia.

Mr. White had also apparently spoken to Mr. Grew with regard to the purchase by the Abyssinian Government of a consignment of arms and munitions in this country. In reply to Mr. Grew's question as to the policy of this Division in that regard, I replied that it was my impression that the general disapproval of this Government in facilitating such purchases had been adhered to and that I presumed it would also obtain in the case of Abyssinia. Mr. Grew suggested that Mr. White address a letter to the Department stating his request in writing and that the matter would then be given due consideration by the competent authorities.

Mr. White was exceedingly enthusiastic over Abyssinia as a whole and particularly over the possibility of obtaining large quantities of raw products from that source. He stated that the Regent is very distrustful of the aims of large European powers with regard to his country and that since the recent Anglo-Italian agreement with regard to Abyssinia he had even refused to see the British Minister. As for the Italians, Mr. White stated the

Abyssinians

Abyssinians have a deep contempt for them - the memory of the Italian defeat at their hands being still alive in their minds.

In reply to Mr. White's inquiry as to what statements he might make to the Regent upon his return to Abyssinia within the next two or three months, it was suggested that he might care again to call at the Department after Mr. Shaw's return from New York in order to discuss the matter with him. Such a statement, I added, would entail a pronouncement of policy and would require the careful consideration of the Department.

WALLACE S. MURRAY.

WSM
NE-WSM:VT.

DOCUMENT FILE

NOTE

SEE 123 So 8/155b FOR Instruction # -

FROM Southard at (Singapore) DATED Dec 1, 1927

TO Abyssinia

NAME

1—1127 GPO

811.01a

REGARDING: Department to be consulted in matter of American advisors to Ethiopian Government.

br

AM RECD

LEGATION OF THE

UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia, November 8th, 1928.

DEPARTMENT OF STATE
DEC 1928
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
ASSISTANT SECRETARY
FILED
DEPARTMENT OF STATE

CONFIDENTIAL.

FOR DISTRIBUTION - CHECK

	Yes	No
To be held	✓	
I.T.O. A		✓

Embassy Rome
Embassy London
Embassy Paris MKA

No. 94.

The Honorable

The Secretary of State,

Washington.

Commercial Office (A-C/O)
To Rome
London
Paris CB

DEC 31 1928
FILED

Sir:

I have the honor to report that the Ethiopian Government has recently announced its intention of employing European advisors for the Ministries of Foreign Affairs, Commerce, and Interior.

The Ethiopian Regent has on various occasions mentioned to me his desire for foreign advisors and his thought that American candidates would be particularly acceptable. He is motivated in this, of course, by what he has heard of American super-efficiency. Guided mainly by the cautioning on page six of the Department's

DEX BUREAU

884.01A

Confidential File

Department's basic instruction to me of December 1st, 1928, I have tactfully but without enthusiasm responded to such mention, and have kept discussion on more or less non-committal ground.

Even without the Department's instruction in the premises I would be inclined to discourage any active intention on the part of His Majesty, the King, to employ American advisors at this time. In the first instance he has yet a very hazy idea of the compensation required to employ firstclass advisors. The amount of six thousand American dollars (one thousand of the local dollars a month) per annum impresses him as top and splendid compensation for a foreign advisor. He might under very special circumstances be induced to make an offer fifty per cent greater, but certainly no more. His Majesty already has a few European advisors, mainly Russians, Swiss and French, who receive from $150 to $500 American money per month. The latter sum is rarely paid. I am locally informed that there are many well educated and quite capable Europeans available for employment as advisors at the salary range indicated.

It is my opinion that no properly qualified American advisor could be obtained or afford to come here appreciably under $15,000 per annum. Many desirable ones would require more. I so informed His Majesty on one occasion when we discussed the question. I could see that he was astounded that any mere advisor would even ask so much. My impression is that he did not fully believe me, but

was

was too polite to say so. I informed His Majesty that I would, of course, be most pleased to place before the Department any definite wishes he had concerning American advisors. However, he evidently has considered that American advisors would be too expensive and has decided to try out a European and cheaper brand.

He will, of course, be disappointed with the results obtained from the employment of already mentioned Swiss, Belgians, Frenchmen, Germans, etc., etc., at from $150 to $500 per month. Such disappointment is likely, in my opinion, to lead within a few years to a determination on the part of His Majesty to obtain American advisors, if possible, regardless of cost. Such would work distinctly to the advantage of any American advisor who came. The ground would by then have been broken and the early and really serious difficulties facing a foreign advisor here would also have been tempered.

However, there would be other difficulties for American advisors. The Ethiopian has, from American and British viewpoint, one of the most peculiar temperaments in the whole world of people. As I estimate my fellow countrymen the average one would find it exceedingly difficult to work successfully in the relation of advisor to an Ethiopian official. We lack, for instance, the unlimited patience to deal efficiently with the typical Ethiopian mental, nervous and physical inertia, and with their peculiarly indirect and involved thought

thought processes. An advisor employed by this government would never at the present status of development receive any really effective authority. The Ethiopian has as yet an inelastic form of national and official pride which would prevent any such delegation of authority. The European advisors at present employed here do almost menial tasks and are more or less forced into intrigues to accomplish what little is credited to them. Their salaries are not always punctually paid. I sincerely opine that the average American would be most unhappy here as an official advisor under present circumstances, no matter how excellent his training and how extensive his experience. We must, of course, in passing admit the exception who would prove the rule.

In the interest of comparison I may say that I have had some firsthand experience of and with the Persians in their own country. Our advisors did not find them easy to deal with. I can compare, with some assurance at least, the two peoples and I firmly believe that the American advisor who got along well with the Persians would find, when coming to deal with our Ethiopian friends in a similar capacity, that he had had only a kindergarten experience.

The European advisors on the other hand do more frequently possess a temperament which enables them to support with fair equanimity the vexations attending an advisorship

advisorship to the Ethiopian Government. They have much patience and a better intuitive understanding of Ethiopian psychology than I believe most Americans possess. And next, but not least, the European advisor willing to come here usually has never before held so good a job and is, accordingly, possessed of an always eager, and occasionally desperate, desire to hold on to it. The present legal advisor to the Ethiopian Government, a meek and mild little Swiss fellow, frequently has his dignity trampled on by his Ethiopian employers. He grins and bears it, however, and says he must be patient to procure a renewal of his three-year contract after which he will have saved enough to go home and purchase a little practice for occupation during his less active years. His predecessor, a Frenchman, was also according to local report a similarly unhappy man until he was more or less summarily dismissed from office.

Ethiopia is not yet, in my opinion, ripe as a field for successful work by Americans employed as government advisors. The average Ethiopian official is yet too conceited to recognize a foreign advisor as other than a glorified clerk, and would presumably treat him accordingly. Americans do not impress me as temperamentally fitted to do the spade work in local advisorships which still remains to be done. Later, when the paths shall have been smoothed by the efforts and failures of a few European advisors, there might be some hope of successful

work

work by American advisors. But not until then.

I should perhaps clearly record my opinion that the Ethiopians have many fine qualities which make them agreeable and interesting friends. I can testify from ample and enjoyable personal experience. My remarks anent difficulties refer mainly to the relationship of employer and employee which is the only one they would permit to be applied to the advisor connection.

Also the average Ethiopian meets the average American with more or less the proverbial chip on his shoulder. He is quite aware of our alleged race prejudices, as glorified and exemplified in certain sort of news despatches which he reads and follows with a painful eagerness, and expects most Americans to call or consider him a "nigger" until a certain amount of association proves the contrary. The present Minister of Foreign Affairs was a member of the Ethiopian delegation which visited the United States about eight years ago, and which had some embarassing experiences apparently chargeable to our race prejudices and segregations. Most of his fellow officials here know of those experiences. He is one of my close and best friends in Addis Ababa but we never find it tactful to refer to certain adventures of his American visit.

The Ethiopian is ethnologically not a negro and objects to being so classified. He resents being considered racially inferior in any respect. No one

can

can convince him other than that if superiority does exist it is in his favor. He is very polite and doesn't advertise such opinion, but I am convinced that he has it pretty firmly fixed in mind and thought.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD

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LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa, December 3, 1929
Ethiopia.

December 10th, 1928.

JAN 11 29

Office of Economic Advisor
DEC 6
DEPARTMENT OF STATE

FOR DISTRIBUTION

DEPARTMENT OF STATE
DIVISION OF NEAR EASTERN AFFAIRS

DEC 7 1928
FILED
INDEX BUREAU
884.00A/3

No. 107.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to my Diplomatic Despatch No. 94 of November 8th, 1928, on the subject of American advisers for Ethiopia.

Since that despatch was written His Majesty, the King, has several times discussed with me the general question of advisers. Notwithstanding my efforts tactfully to evade the issue he has come to the point where he insists that I help him to obtain certain advisers from the United States.

His

His Majesty now insists that he wants one American adviser for the Ministry of Foreign Affairs, one for the Ministry of the Interior, and one for the Ministry of Commerce. His wish for American military instructors has already been transmitted to the Department in the last paragraph of my Diplomatic Despatch No. 63 of September 15th, 1928. 884.24/11

The terms offered by His Majesty for the three advisers indicated in the first sentence of the paragraph above are a salary of one thousand (MT$1,000) Ethiopian thalers per month, plus transportation to Addis Ababa and return transportation to the United States at the end of the three year contract intended. I have pointed out to His Majesty that such rate of compensation will not attract the best equipped American advisers but he counters that such is the stipend of his cabinet ministers and that he could hardly pay more to their advisers. I did not mention it to His Majesty but I may remark here that the cabinet ministers in question are said to follow the time honored custom in Ethiopia of augmenting their official rate of pay by various perquisites which in total considerably exceed the latter. The Ethiopian thaler varies in exchange value usually between 47 and 51 U. S. cents.

In my Despatch No. 94 of November 8th, 1928, I 884.01A/2 have given my opinion as to the handicaps to American advisers in Ethiopia. In view, however, of the present

state

state of mind of King Tafari I must express the further opinion that our present good relations with him may suffer unless some effort is made to meet his wishes in the matter of American advisers. Accordingly I respectfully suggest that the Department bring his desires to the attention of potential applicants who could negotiate directly with the Ethiopian Government.

I am aware, of course, that men of established experience would likely not be attracted by the rate of compensation proposed. The best that His Majesty could hope for would appear to be applications from young men with at least educational training for the work proposed who were desirous of experience leading perhaps to later and more substantial appointments in foreign adviserships.

Of all the appointments proposed I would consider that one of adviser to the Ministry of Commerce as of greatest potential value to American interests. That Ministry has practically no organization at present and the adviser taking up the work would have the privilege of building literally from the ground up. His first and most important task would be the establishing of statistical services. Next in importance would be the regulation of the customs which are not now honestly or systematically administered. The country is ripe for a really great commercial development and the adviser concerned

concerned could appropriately establish and encourage unlimited opportunities for American trade. I may perhaps, with due modesty, claim some responsibility for the present ambition of His Majesty to develop a well organized Ministry of Commerce. I mention this mainly to explain why I am much interested in the matter. My interest, needless to say, is kept within appropriate limits and is entirely motivated by a desire to develop American trade here.

In addition to the obvious qualifications for a man applying for the above job, if an applicant can be found, is either actual or potential ability to read and speak French for ordinary purposes. He should have much patience and be of pioneering disposition. It goes without saying that he should have no fixed racial prejudices as to the differences which some people establish in comparing men with white, brown and black skins, respectively. An unmarried man would, of course, be preferred for various reasons which need not be gone into.

Applicants for adviserships in the Ministries of Foreign Affairs and Interior, which I consider somewhat less important in the advancement of American interests than that for the Ministry of Commerce, should have similar qualifications. For the Ministry of the Interior probably the first duty of the

adviser

adviser would be in the development of schools. Forests and Mines would perhaps come next. Certain of the embryo hospital and medical work for the country comes under the Ministry of the Interior. There are no other functions but as the work of neither this Ministry nor of any other in the Ethiopian Government is clearly defined there is no more to be recorded just now.

The present organization of all the Ethiopian Ministries is more or less vague and nebulous. The initial duties of any adviser would be organization and delimitation of the duties and obligations of his Ministry, installation of office systems and equipment, and training of staff.

An adviser for the Ministry of Foreign Affairs would conceivably encounter difficulties arising from the jealousies of the various foreign governments represented in Ethiopia. He could do some excellent work, but would not at this time be of any outstanding assistance in the furtherance of American interests. Just now this Legation has unusually close relations with the Ministry of Foreign Affairs owing mainly to the writer's friendship with the present Minister which runs over a period of nearly a dozen years.

Ambitious young Americans would find any one or all three of these adviserships interesting and instructive within the limitations suggested in my

Diplomatic

Diplomatic Despatch No. 94. The salaries offered would just about suffice for a single man to live appropriately. The chances are that he would have some margin after paying the cost of comfortable living. Much would depend on his inclinations. A married man could also live on the salary offered but he would have to be very careful and could expect no margin for savings. Accordingly it should be said that the appointments would afford no financial advantage unless the adviser by his influence on the job could succeed in having his stipend increased. The main attractions of these appointments as they appear to me would be; first, the valuable experience; second, the novelty and interest of helping modernize a very ancient government; third, the patriotic satisfaction involved in the opportunity for advancing American economic interests in particular; and, fourth, life in a very good climate with many available out-of-doors diversions at moderate cost which in most parts of the world could be afforded only by men of wealth. The disadvantages found, and there would be at least a few in any instance, would depend partly upon the man. Living and working in Ethiopia can be attractive to the man, or woman, of pioneering inclination and capacity. Without such inclination or capacity the individual concerned could be much dissatisfied.

It

It may be remarked that adviserships of the sort contemplated would develop less difficulties than the financial adviserships in which Americans have participated in various parts of the world. These Ethiopian adviserships involve mainly organization abilities and activities which would not directly touch the Ethiopian notables in such tender places as their financial affairs. His Majesty, the King, has not yet considered financial advisers and will probably not do so in the near future as he at present has more or less direct and personal control of official income and expenditure — a system which advisers would perhaps insist upon changing.

In summary I cannot unreservedly recommend the appointment of American advisers here. They might be very successful, and again they might not be. I do, however, believe that some effort should be made to meet His Majesty's somewhat insistent demands in the premises with a start, perhaps, at bringing about at least applications for the Ministry of Commerce appointment. The other two Ministries might also be successfully served, but Commerce would seem of first importance strictly in the promotion of American interests. This Legation as at present constituted would be able to lend more than average assistance and encouragement to American advisers in Addis Ababa without involving itself officially or in other inappropriate

appropriate ways.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD

December 3, 1929

No. 105

The Honorable

Addison E. Southard,

American Minister Resident and

Consul General,

Addis Ababa.

Sir:

The Department has received and has given careful consideration to your despatch No. 107 of December 10, 1928, with regard to the desire of King Tafari to obtain the services of American advisers for certain departments of the Ethiopian Government.

As you have already explained to His Majesty, the compensation which he has in mind, i.e., MT$1,000 per month, is hardly sufficient to attract American advisers properly equipped for the positions. It might perhaps be possible to obtain the services of advisers at that salary, but they would undoubtedly be men of such limited experience or ability that they would find it difficult properly to discharge the exacting task that would be required of them.

In connection with the general salary scale of American advisers in foreign countries, it may be mentioned that the former Administrator General of Finances in Persia received $15,000 annually as salary in addition to a furnished residence, or $3,000 in lieu thereof, as well as travel expenses for himself, his family and his domestic

servants

884.014/3

servants. The four chief assistants of the Administrator General in Teheran were paid salaries of $10,000 a year in addition to suitable residences, while the provincial directors received $7,500 annually. The lowest paid official in the administration, the secretary to the Administrator General, received $5,000 a year. In addition to the salaries mentioned all of these officials of course received travel expenses.

In bringing to the attention of King Tafari as much of the foregoing as you may consider expedient under the circumstances you may express to him this Government's gratification at the indication of friendship which he has given in expressing a preference for American advisers.

For your confidential information the Department desires to add that it believes no useful purpose would be served in facilitating at the present time the engagement of American advisers to the Ethiopian Government.

I am, Sir,

Your obedient servant,

For the Secretary of State:

William R. Castle, Jr.

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NE FRANCIS

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DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

June 15, 1929

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King Tafari has reached the point where he is insisting upon American advisers, and the Minister believes that at least an effort should be made to satisfy his wishes.

As Mr. Southard points out, the salary of MT$ 1,000 (U.S.$500) per month would hardly attract any American expert, and I doubt the advisability of sending out other than an expert. Do you think we might reply that it is impossible to secure the services of a qualified American adviser at the salary mentioned? This might strengthen Mr. Southard's hand and discourage the King for a time at least.

PHA/-

DEPARTMENT OF STATE

ASSISTANT SECRETARY

Office of Economic Advisor
DEC 6 1929
DEPARTMENT OF STATE

Index Bureau
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DEC 4 1929
Dept. of State

January 18, 1929.

N E

Mr. Shaw:

I still feel that the less we are involved in this the better, but on the other hand we can hardly throw Mr. Southard down completely and we must not irritate King Tafari. I should think the suggestion of saying that they could not get any American expert at anything like the price suggested might be a help to Southard.

INDEX BUREAU
894.014/3
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DEC 7 1929

A-E WRC/AB

NE

DEPARTMENT OF STATE

BUREAU OF ACCOUNTS

MEMORANDUM

Mr Hengstler:-

Herewith copies ot telegrams sent by the Consulate at Aden, for the quarter ending June 30, 1927, amounting to $61.52. There is also enclosed correspondence regarding one George G. Carey, a representative of Hambleton & Co.

Some of the telegrams relate to the Carey case, and others evidently to other subjects. Please state which of the telegrams are to be billed to ther parties, and which may be allowed in the consul's account.

If allowed, he will need an additional allotment, as his allotment is exceeded.

L.A.M.
Aug. 9, 1927.

Mr Wadsworth

Since you handled this, what do you think about billing the cost of the messages?

J+CW

CABLE ADDRESS "HAMBLETON"

Established 1865.

LIEBER'S CODES.
W.U.TEL.

Hambleton & Co.

Bankers,

AFFILIATED OFFICE
NEW YORK
43 EXCHANGE PLACE
PHILADELPHIA

BALTIMORE
10 SO. CALVERT ST.
WASHINGTON

DEPARTMENT OF STATE
DEC 3 1926
DIVISION OF
FAR EASTERN AFFAIRS

UNDER SECRETARY
1926

Baltimore, Md., Dec. 2, 1926.

Index Bureau
RECEIVED
DEC 15 1926
Dep't. of State

The Honorable The Secretary of State,
Washington, D. C.

DECEIVED DEC 14 1926

Attention: Mr. Joseph C. Grew,
Under-Secretary of State.

Sir:-

Within the next few weeks we propose to send our representative, Mr. George G. Carey, Jr., to Ethiopia for the purpose of suggesting to His Majesty, Ras Tafari, the advisability of his appointing Hambleton & Co. his representative and fiscal agent in this country. Mr. Carey has spent three months in Abyssinia and knows His Majesty personally.

Our decision to send Mr. Carey on this mission has been reached after several conferences with men familiar with conditions in that country, especially Dr. Thomas A. Lambie. As a result of these conferences we feel that the present is a very opportune time for submitting such a proposal. We understand the Empire of Ethiopia to be potentially rich. We further understand that His Majesty, Ras Tafari, is becoming very restive in his anxiety to open up the country and to introduce roads, modern agriculture, and general efficiency. We therefore feel that there will be an increasing demand for American products and American technical assistance in the development of the country and are anxious to establish the afore-mentioned connection because we feel that within a period of years a substantial amount of business can be developed through the same.

In view of the international aspects of the case, we are most anxious to obtain your advice and approval of the undertaking, and, while we realize it must necessarily be against the policy of the Government to endorse or vouch for any individual firm or proposition, we hope that you will be able to render us assistance by having Mr. Carey introduced to His Majesty as the representative of a well thought of American banking house without in any way vouching

for us or our proposal.

As a result of our conversation of yesterday, we suggest that this might be done through your consul at Aden.

Should Mr. Carey develop the possibility of actually establishing such connections, a member of the firm will promptly go to Addis-Ababa to conclude arrangements.

Very truly yours,

HAMBLETON & CO.

John A. Hambleton

JAH/MB

IVE

DEPARTMENT OF STATE

THE UNDERSECRETARY

File

December 3, 1926

MEMORANDUM.

In connection with the appended letter, Senator Howard Sutherland, Alien Property Custodian, called on me on December 1 and introduced Mr. Hambledon and Mr. Carey as responsible persons. Mr. Hambledon and Mr. Carey laid before me the proposal outlined in the appended letter. Mr. Wadsworth entered the conference and is fully familiar with what was said.

JCG.GAM

INDEXED BUREAU
DEC 17 1926

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

Mr. Wadsworth:

The Hambleton & Company has been given the highest credit rating by the Moody credit organization, giving it a classification of $1,000,000 and over. Information shown on the Riggs National Bank indicated that the company is dealing in investment securities, but the company is not listed in any banking directory according to the Finance Division of the Bureau of Foreign and Domestic Commerce. The Washington representative of the Hambleton & Company is the Honorable Senator Sutherland.

Commerce had no information regarding the Hambleton & Company.

ICC

December 14 1926

Hambleton & Company,

10 South Calvert Street,

Baltimore, Maryland.

Sirs:

The Department has received and given careful consideration to your letter of December 2, 1926, confirming your oral representations of December 1st, and requesting its assistance in arranging for the introduction to H. I. H. Ras Tafari of Mr. George C. Carey, Jr., as a representative of your company duly qualified to suggest to His Highness the advisability of his appointing Hambleton & Company his representative and fiscal agent in the United States.

In reply I desire first to recapitulate briefly the Department's position in matters of this nature as explained during the course of our conversation of December 1st. While it is not the Department's practice to sponsor private American interests or urge them to engage in special enterprises in designated foreign countries, it is the common and approved practice of American diplomatic and consular officers to introduce the representatives of such interests to the appropriate officials of foreign governments.

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governments and, while carefully avoiding showing any discrimination or partiality in supporting the aims of conflicting or competing American interests, to furnish and safeguard fair and equal opportunity for American enterprise abroad.

With the foregoing considersations in mind and in the absence of official American representation in Ethiopia, I take pleasure in informing you that a copy of your letter under acknowledgment has been forwarded to the American Vice Consul in charge at Aden together with appropriate instructions in the premises. In effect, these instructions authorize the Vice Consul to address an informal communication to Ras Tafari informing him of Mr. Carey's prospective visit to Addis Ababa and soliciting for Mr. Carey the honor of an audience with His Highness.

It is suggested that you communicate with the Vice Consul at Aden informing him of the probable date on which Mr. Carey will arrive in Addis Ababa, and, in the event that Mr. Carey is unable to call on him at Aden while en route, suggesting an address to which he may address a letter to inform Mr. Carey of the action he has taken in your behalf.

I am, Sir,

Your obedient servant,

For the Secretary of State:

JOSEPH C. GREW,

Under Secretary.

HE GW/MHB

CR

Dec. 11, 1926.

December 14 1926

James L. Park, Esquire,

American Vice Consul,

Aden, Arabia.

Sir:

The Department encloses for your information and guidance copies of a letter received from Hambleton & Company of Baltimore, Maryland, dated December 2, 1926, and of the Department's reply, with respect to the Company's proposal to send shortly Mr. George G. Carey, Jr., to Ethiopia for the purpose of suggesting to H. I. H. Ras Tafari the advisability of his appointing Hambleton & Company his representative and fiscal agent in this country.

The enclosed letter from Hambleton & Company is a recapitulation of the Company's proposal, as explained to the Undersecretary of State on December 1, 1926, by Mr. John A. Hambleton, Mr. Carey and former Senator Howard Sutherland, a Vice President of the Company and at present United States Alien Property Custodian. The Company is given the highest credit rating by the Moody credit organization which places it in the classification of "$1,000,000 and over". From explanations furnished by Mr. Sutherland, confirmed by information obtained from the Riggs National Bank, the Company deals largely in investment securities. It maintains a branch office in this city.

You will note from the enclosed letter that Mr. Carey

is

is to proceed shortly to Ethiopia. It is in connection with this visit that the Department's assistance has been solicited by Hambleton & Company. In particular, the Department is requested to arrange, insofar as it is able, for Mr. Carey's introduction to Ras Tafari as a duly qualified representative of Hambleton & Company.

While it is not the Department's practice to sponsor private American interests or urge them to engage in special enterprises in designated foreign countries, it is the common and approved practice of American diplomatic and consular officers to introduce the representatives of such interests to the appropriate officials of foreign governments and, while carefully avoiding showing any discrimination or partiality in supporting the aims of conflicting or competing American interests, to furnish and safeguard fair and equal opportunity for American enterprise abroad. With these considerations in mind and in the absence of an American diplomatic representative at Addis Ababa, the Department would approve your addressing an informal communication to Ras Tafari informing him of Mr. Carey's prospective visit and soliciting for Mr. Carey, as an accredited representative of Hambleton & Company, the honor of an audience with His Highness.

I am, Sir,

Your obedient servant,

For the Secretary of State:

JOSEPH C. GREW

Enclosures:
Letter from Hambleton & Company, December 2, 1926 and Department's reply.

NE GW/MMB

CR

Dec. 11, 1926

A true copy of the signed original.

NO. 250.

AMERICAN CONSULATE,

Aden, Arabia, August 31, 1927.

SUBJECT: Review of the Visit to Addis Ababa of Mr. George G. Carey, Jr.

1—1056

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR: 884.01B11/-

I have the honor to refer to the Department's Instruction of December 14, 1926, concerning the desire of Hambleton and Company of Baltimore, Maryland, to obtain the appointment of His Imperial Highness Ras Tafari, Regent of Ethiopia, as his representative and fiscal agent in the United States and the commission by this company of Mr. George G. Carey, Jr., to proceed to Addis Ababa to make necessary representations to the Regent in that connection. The Department instructed me to address an informal communication to Ras Tafari, soliciting for Mr. Carey, in his capacity of representative of Hambleton and Company, the honor of an audience with His Highness.

It would seem suitable, therefore, at this time to place the complete story of the action taken by this Consulate, in compliance with the Department's Instruction, in the Department's possession and copies of complete correspondence are submitted herewith. This seems additionally indicated in view of the fact that the net result of Mr. Carey's mission was for the time being nil, as indicated in his last letter to me, dated June 11, 1927, from Jibuti, prior to his return to the United States.

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OCT 31 1927
ASSISTANT SECRETARY OF STATE

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States, and inasmuch as the affair does not appear to have been dropped, and as there is hope of further negotiation in the future, it may seem necessary that the Department should have a record of the case for future reference.

Judging from Mr. Carey's letter of June 11, there appears to have been a repetition of the usual obstacles placed in Ras Tafari's way by those who are closest to him and who share to a very great extent his most intimate counsels. Mr. Carey attributes the temporary failure of his mission to the influence of Dr. Martin, an Ethiopian of British-Indian education and a species of "Colonel House" to the Regent, who apparently would view with disfavor any development calculated to undermine his influence with the Throne. Although Dr. Martin has a seemingly sincere desire to assist Ras Tafari in His Highness's general program of modernization and staunchly supports him in his endeavors to introduce progressive innovations, it is not improbable, as Mr. Carey suggests, that he is jealous of his own personal status. That he wishes to maintain the rôle of the chief adviser and mentor is but human and natural, and that he has a definite scheme for so doing is exemplified by his verbal remark to me in October, 1925, to the effect that he hoped to obtain American capital to build an Ethiopian-controlled railway to the Sudan frontier, and supported by the recent report that he has left Ethiopia for Europe and if possible the United States, ostensibly for that purpose. The Prince's earnest desire, averred Dr. Martin, was to abolish as rapidly as possible the selling of

concessions

concessions, to obtain foreign, and preferably American, capital and experts for the construction of roads and railways and the development of agriculture and commerce under Ethiopian organization, control and, as far as possible, personnel. In other words, instead of farming out the country piecemeal to private foreigners, regarding some of the less worthy of whom, notably Armenians and Greeks, the Ras has no illusions, His Highness's aim is to preserve the Ethiopian character of contemplated enterprise. How this may coincide with the natural and legitimate requirements of prospective American or other investors who would want some effective guarantee for their money, is not quite clear at the present writing. But the proposal, per se, is also natural and legitimate from the Ethiopian point of view. The Ras showed his sincerity to the extent of requesting an American business administrator for the 100% Ethiopian "Society for the Development of Agriculture and Commerce" (despatches Nos. 94 and 98 of November 19 and December 7, 1925). It is also recalled that in the absence of the desired American adviser, who was to possess the status of employe of an Ethiopian concern, this work was entrusted this year to another organization, the name and nationality of which has not been divulged.

Although there was no indication of a desire on the part of Hambleton and Company to bid for the advisory and administrative positions in Ethiopia itself, it was thought timely, in conjunction with Mr. Carey's visit, to

bring

bring up this subject once again, in the belief that Hambleton and Company could amply fulfil any such requirement in connection with their representative and fiscal proposals.

It would appear, however, that the close of Mr. Carey's experience but marks the starting point of serious negotiations some time in the future, upon the arrival in Addis Ababa, according to Ras Tafari's suggestion, of an official American representative. This is but a further indication of the desire of Eastern rulers to deal only through official channels. A similar desire has been seen in Yemen, the Imam having repeatedly declared that no person or interest representing itself in Yemen as American will be countenanced as such without the express approval of the American Consulate at Aden. Ras Tafari and the Imam place so much importance upon the official intermediary of this Consulate, that the Consulate's work has been multiplied during the past two years in local correspondence alone, on behalf of the few American interests which have come under its purview. The increased volume of work, however, has been attended necessarily by proportionate increase of responsibility and opportunity. Despite its efforts, however, the Consulate has not yet achieved a palpable result, save, perhaps, to establish friendship, which in themselves are satisfactory and pleasant, but which can never materialize ~~its work~~ until the affairs, such as the Houlberg kerosene concession and the Hambleton business can be dealt with through direct personal negotiation between the officer in charge and the potentate concerned.

This method is not in accordance with my policy. Int.

I

I believe that at some future time, preferably after the appointment, if possible, of a Foreign Service officer to Addis Ababa, the affairs of Hambleton and Company can be taken up again, with assurance of some measure of success.

If some of my communications to Mr. Carey seem extravagant in style, I would explain that I desired only to impress him with the importance of avoiding the most common pitfalls to which Americans and others have in the past been susceptible in Ethiopia.

I have the honor to be, Sir,

Your obedient servant,

James Loder Park

American Vice Consul.

Enclosures:

1. Letter from Mr. Carey, at sea, Dec. 20, 1926
2. Wireless from Mr. Carey, S.S. AZAY le Rideau, Jan. 15, 1927.
3. Wireless to Mr. Carey, S.S. AZAY le RIDEAU, Jan. 15, 1927.
4. Telegram to Mr. Carey, Jibuti, January 16, 1927.
5. Telegram from Mr. Carey, Jibuti, January 17, 1927.
6. Letter from Mr. Carey, Jibuti, January 17, 1927.
7. Letter, informal, to Ras Tafari, January 20, 1927.
8. Telegram to Ras Tafari, Addis Ababa, January 20, 1927.
9. Letter to Mr. Carey, Addis Ababa, January 20, 1927.
10. Letter to Ras Tafari, Addis Ababa, January 24, 1927.
11. Letter to Mr. Carey, Addis Ababa, January 24, 1927.
12. Letter from Mr. Carey, Addis Ababa, January 29, 1927.
13. Letter to Mr. Carey, January 27, 1927.
14. Letter from Mr. Carey, Jibuti, June 11, 1927.

File No. 030.

MYK.

C O P Y

S. S. SUPRA

December 20, 1926.

Dear Mr. Park:

I believe that Mr. Grew of the State Department or Mr. Wadsworth has written you of my impending visit to Ethiopia and I also have a letter to you from Dr. Lambie who says the only thing he knows of against you is that you seem to be able to stand Aden. I don't know Aden but I hope it isn's as bad as Djibouti.

I expect to sail from Marsellès on January 5, by the Azay le Rideau and hope to have the pleasure of seeing you. Is there any chance of your being in Addis then or perhaps I had better wireless you from the boat and find out when I can see you, as I would like to get a letter of introduction from you to Ras Tafari. If you happen to be in Djibouti or Addis so much the better but if you are in Aden it would save me a trip over and back, if you could mail me the letter to Hotel de France, Djibouti or write direct to Ras Tafari that I am coming to Addis.

Another thing I would appreciate is - if it is not out of line of your duties - would be to lay some sort of foundation for getting three rifles and one thousand rounds of ammunition into Addis.

A chap named Harold A. White is coming out with me and expects to make a trek down to lake Rudolph from Addis. He and I were in Abyssinia before and had a very nice little trip through the Aroussi country but we had a hell of a time getting our guns into Addis. First a French permit is necessary then another French one to take them out of Somaliland then another to get them into Abyssinia. It took us two weeks the last time and I was

wondering

wondering if you know any way of expediting matters. You see, as I am going to Addis on business, I don't want to go through the British Legation for anything. Not that Mr. Bentinck isn't the merit and most obliging person ever but you know things are in Abyssinia.

I certainly would appreciate it if you have any suggestion to make on it and could let me know in Djibouti.

The rifles we want to take in are our 450 Jeffrey rifle, our 405 Winchester rifle, our 303 Remington rifle, 200 rounds for the Jeffrey, 400 for the Winchester, and 400 for the Remington.

How are the boats between Djibouti and Aden or rather what is their schedule? I would like to ship over and see you if it doesn't take too long.

Hoping to hear from you, I am,

Very truly yours,

George G. Carey Jr.

Copy of a telegram received from:

George Carey,

SS AZAY LE RIDEAU

To:

The American Consul,

Aden, Arabia,

January 15, 1927,

7. A. M.

Have you received Grews and my letters shall I come Aden

Aden

- George Careey -

Copy of telegram sent from:

The American Consul,

Aden, Arabia,

To:

Carey,

SS AZAY LE RIDEAU

Aden radio.

January 15, 1927.

Letters received will telegraph write governments Djibouti Addisababa but must know date arrival Djibouti interview here unessential but desirable Trip Aden ordinarily seven days inclusive will do utmost reply.

Park.

Copy of a telegram sent from:

The American Consul,

Aden, Arabia,

To:

George Carey,

Care of Agent Messageries Maritimes

Djibouti.

January 16, 1927.

Are you having difficulty please telegraph plans for my guidance regret letters received late

Park American Consul.

Copy of a telegram received from:

George G. Carey,

Djibouti,

To:

The American Consul,

Aden, Arabia.

January 17, 1927

8.35 A. M.

Thanks leave for Addis Wednesday
please write there care American
Mission

Carey

C O P Y

Tuesday January 17,
1927.

Dear Mr. Park:

Many thanks for the telegrams etc. Everything is O. K. in Djibouti. White had a card from the Field Museum saying he was making an expedition for them and we got them (guns and ammunition) in duty free. Now we only have to get the permit from Ras Tafari to bring them into the country, which should not be difficult.

I would have liked very much to have gone over to Aden to see you but seven days is a long time and I am anxious to get the Hambleton and Co. business there as soon as possoble as Mr. Hambleton may want to come out and if he comes it is but before the thermometer goes to 115 in the shade.

Have a letter from Dr. Lambie with me which I hope to be able to present to you in person before I go back to America.

About two months ago he and I had a session in Washington D.C. with the State Department and if they went by what he said about you, your next post would be at the court of London in knickers comme Harvey!!!

If you write to Ras Tafari of course it is O.K. to say what I am coming up there for, but if I can

keep

keep it a secret from the Legation, I would certainly like it. I think that I shall ostensibly go to Addis for a shooting trip.

I suppose you know that a new Minister is apt to come out to Addis next year. Who he will be, George Wadsworth didn't seem to know.

Again many thanks, and hoping to see you come there soon, I am,

Sincerely,

George G. Carey.

C O P Y.

Aden, Arabia, January 20, 1927.

Informal.

Highness:

I have the honor to inform Your Highness that an American named Mr. George G. Carey Jr., is on his way to Addis Ababa for the purpose of having the honor of an audience with Your Highness and of discussing with Your Highness the question of appointing the American firm of Messrs. Hambleton and Company of Baltimore, Maryland, Your Highness's representative and fiscal agent in the United States.

I have lately received information from my Government, to the effect that Hambleton and Company has the highest credit rating and that it has been placed in the classification of "$1,000,000 and over". This firm deals to a large extent in securities and investments, and amongst its leaders are men who are prominent in the United States. Although Hambleton and Company has its head office in Baltimore, it has a branch office in the city of Washington. If your Highness will graciously grant an audience with Mr. Carey, the duly qualified representative of Hambleton and Company, he will be able to give Your Highness any further particulars which may

His Imperial Highness Ras Tafari Makonnen,
Heir to the Throne and Regent of the Empire of Ethiopia,
Addis Ababa, Ethiopia.

may be desired.

I would like to add, Highness, that if your Highness should decide to consider favorably the appointment of a fiscal representative in the United States, Hambleton and Company is emeinently equiped in every way to meet the full requirements of Your Highness. It is true that there may be other firms of equal merit, but since this firm is the first company of the highest class which has taken a sympathetic interest in the matter under consideration, I would respectfully undertake to commend Mr. George C. Carey, Jr., to the especial attention of Your Highness.

It will also be very interesting to Your Highness to learn that Dr. Lambie has given Hambleton and Company a considerable amount of information regarding Your Highness and Ethiopia and that through Dr. Lambie this Company has been impelled to send Mr. Carey to Your Highness,

In fuller explanation of the things which a representative of Your Highness will be able to do for Your Highness and Ethiopia, it might be added that through such a firm as Hambleton and Company, large products such as road-building, improvement of agriculture, industrial machinery, etc., can be handled efficiently and satisfactorily. Mr. Carey will undoubtedly discuss these and other matters with Your Highness in such detailas Your Highness may wish. The matter of securities, investments, deposits and related subjects can be discussed at Your Highness's

pleasure

pleasure.

Mr. Carey's representations to Your Highness, if he is granted the honor of an audience, may be considered as a preliminary step, and if Your Highness is favorably disposed toward this Company, further arrangements will be made without delay, to conclude a program of future action.

I would express regret that the present announcement is delayed, but it has been unavoidable. Mr. Carey expected to leave Djibouti by train yesterday, and should arrive at Addis Ababa tomorrow eveneing (january 21, 1927). With the indulgence of Your Highness, I am sending you a telegram today, advising the expected arrival of Mr. Carey, and requesting Your Highness to receive him at a suitable time.

I would express again the gratitude of this Consulate and of myself personally for the kind manner in which Your Highness has always received Americans, and the generous disposition which Your Highness has always manifested toward American activity.

With kind regards to Her Imperial Highness the Princess, and to Dr. Martin, I would ask Your Highness to accept the renewed assurance of my highest consideration.

J. Loder Park.

American Vice Consul.

Copy of a telegram sent from:

The American Consul,

Aden, Arabia.

To:

Ras Tafari Makonnen,

Addis Ababa.

January 20, 1927.

George Carey americain arrivera addisababa
demain pour affaire importante votre letter
2 Octobre 1925 salutations ecrivais ? ecrivai ?

Loder Park

AmConsul

Aden, Arabia, January 20, 1927.

George G. Carey, Jr., Esquire,
Care of the American Mission,
Addis Ababa, Ethiopia.

My dear Mr. Carey:

It is a very great pleasure for me to welcome you to this part of the world and to proffer my good wishes for the success of your visit. Unfortunately I was unable to address His Imperial Highness Ras Tafari Makonnen, the Prince Regent, before today, owing to the fact that I could no send a letter in time to catch the mail boat a week ago. The mail facilities between Djibouti and Aden are rather poor.

When your wireless telegram from the SS AZAYLE RIDEAU of January 15, confirmed your letter of December 20, 1926, which stated that you were leaving Marseille on January 5, of course it was apparent that I could only advise His Highness by telegram. This I am doing today. You may not have received my radio of January 15, worded as follows:

"LETTERS RECEIVED WILL TELEGRAPH WRITE GOVERNMENTS DJIBOUTI ADDISABABA BUT MUST KNOW DATE OF ARRIVAL DJIBOUTI INTERVIEW HERE UNESSENTIAL BUT DESIRABLE TRIP ADEN ORDINARILY SEVEN DAYS INCLUSIVE WILL DO UTMOST REPLY"

This was probably due to the fact that you had then arrived at Djibouyi, too soon for me to arrange free passage of

your

your rifles and rounds through French Somaliland. I was much concerned about this, but was led to hope, from all that I could learn, that you would have no difficulty. For that reason, I wired to you at Djibouti, asking if you were having any difficulty and to please let me know if you could be expected in Aden before going to Addis Ababa. Shipping facilities are so poor, that I felt it only fair to let you know the delay of a trip here would be seven days at least. It would be most helpful if we could talk over Abyssinian matters together, and I am sorry that it was not convenient. Howver, the delay would have been probably ten days, and a wire to Ras Tafari will clear the way for you.

I appreciate fully the motive expressed in your letter of December 20, regarding dealings with the Ras through the intermediary of the British Legation. This office is placed rather in a difficult position on this account at times. It is essentail, in my opinion, to maintain friendly relations with the Minister, Mr. Bentinck, and to avoid when possible intruding on the representative authority given to the Legation. On the other hand, it is at times more essentail to deal direct with the Ras, as in your case. I am telegraphing His Highness to expect your arrival tomorrow, but no mention is made of his sending anyone to meet you, lest we offend the British Minister. If we have our own office in Addis Ababa, a rather difficult

situation

situation will be removed.

I wanted to tell you a great many things of interest and possible value, and hope to be able to do so without writing. I will say now, in any case, that the British are I think, jealous of American progress in Ethiopia, and it would be futile to ask or expect any real help from the Legation in business matters. Their Mr. Zafiro, for example, will probably do all he can to discourage you, given an opportunity, as he has endeavored to discourage every American enterprise in Ethiopia. The people at the Legation, however, are delightful, and if you can keep their friendship without telling them anything and without risking the complete confidence of the Ras, by all means do so. If any risk is involved, it is advisable to avoud the Legation entirely.

One thing is of paramount importance. I am convinced that you have everything to gain by being perfectly frank and friendly with Ras Tafari. It is also a good thing to avoid carrying with you an atmosphere of deep mystery, as so many Americans do. This is not important with regard to the mass of foreigners -- you need give them no thought - but to the Ethiopians themselves. It is just as well to have as many prominent Ethiopian friends as possible. You will encounter a lot of curiosity and inquisitiveness, and you will find it difficult, perhaps, to keep your business to yourself without making enemies. It is necessary to keep your affairs your own, but it is important to have the friendship of people who count for something. But your one real friend among them (save the Americans) is Ras Tafari.

His

His Highness is very kindly disposed to our people and our activities, and I anticipate no difficulty in your contemplated work. The Ras wants just the very thing that you propose to offer him, and he has asked repeatedly, as you may know, for an American expert adviser for the Societe pour le Developpement d'Agriculture et de la Commerce, a purely Ethiopian (I understand) concern which does a kind of banking business. You come at a good time and you have my every good wish.

Please remember me to His Highness, Dr. Martin and to all of the Americans,. I have heard a great deal about your companion Mr. White, and hope you get a good bag when you go forth to hunt.

Yours very sincerely,

James Loder Park.

American Vice Consul.

PERSONAL

CONFIDENTIAL.

Aden, Arabia, January 24, 1927.

Highness:

I would like to my last letter regarding Mr. George G. Carey, Jr., that I am highly pleased that so large and reliable a firm as Hambleton and Company, of Baltomore, Washington, New York, etc., is undertaking seriously to discuss with Your Highness the question of establising a definite and satisfactory business relationship between Your Government and the United States. In my telegram of January 20, 1927, I stated the following:

TAFARI MAKONNEN

ADDISABABA

GEORGE CAREY AMERICAIN ARRIVERA ADDISABABA

DEMAIN POUR AFFAIRE IMPORTANTE VOTRE LETTRE

2 OCTOBRE 1925 SALUTATIONS ECRIVAIS ? ecrivait ?

LODER PARK

This telegram was sent because the instruction from my Government came by post almost at the same time that Mr. Carey came to Djibouti, and there was not time enough to write. I also had a letter from Mr. Carey, but this came too late to permit my writing to Your Highness in time. I hope the telegram was clear enough, although of course it was important not to mention the nature of Mr. Carey's business.

If you will kindly receive Mr. Carey, you may rest assured

assured that he represents a very high class of American business, and that of course he is the bona fide representative of Hambleton and Company.

I was very pleased to learn that our friend Dr. Lambie has shown an interest in this matter and that he holds the best interests of Ethiopia ever close to his heart. I am sure we shall all be pleased when Dr. Lambie returns. Speaking for myself, I can only say that I value his counsels, and feel deeply grateful for the great assistance he has rendered me in my efforts to learn your problems and desires on behlaf of your great country. Aside from every other consideration, Dr. Lambie is a great hearted friend, as we know.

The proposals of Hambleton and Company seem to me to be the first definite step forawrd in placing American help at your disposal. In my telegram, I referred to your letter of October 2, 1925, requesting the appointment of an American business administrator of expert ability to guide the career of the Ethiopian Company called the Societe pour le Developpement d'Agriculture et de la Commerce, because it seemed to me that through a first class business firm like this, the way might bemopened to consider such a matter. It is my hope that your wishes in this connection might be fulfilled.

With regard to an expert administrator for the "Societe", I undertook to suggest the question to two firms in Aden which have American connections. One is a British Limited Company, known as the Arabian Trading Company, Ltd., which

which is managed in Aden by an American, The other is a purely American firm called "Houlberg Kidde Corporation", with headoffices in New York. It is the only American firm in Aden. Both firms cover Ethiopia, the Somali Coast and Arabia in their business activities, but after careful consideration, I had come to the conclusion that neither firm could quickly supply the administrator which Your Highness seems to desire. The British nationality of the one firm would prevent it from being suitable, although an able American is in charge. The other firm is a strong one in capital, but new to this district, and not the best suited to managing business affairs in Ethiopia, because it has no experience. In addition to,these things, neither firm seems to be in a position to furnish a man who could give his entire time to your interests in Ethiopia. These firms were carefully considered as a possible solution of the matter, and while I was still considering the matter, I was happy to learn about Hambleton and Company's proposal to form a relationship with Your Highness which might open the way to securing the administrator required. It seems to me that Aden firms need not be considered any longer. I would be glad to learn what Your Highness may think of this. At all events, the matter might well be suggested to Mr. Carey, and its different phases can all be discussed in detail with him. I hope Mr, Carey will be able to come to Aden after his business with Your Highness is completed, in order that we can talk about the whole subject, and arrive at a full understanding amongst ourselves regarding the program for the future.

It

It will be a splendid thing, too, if Mr. Hambleton himself comes to Ethiopia to make final arrangements.

Your Highness may be sure of my hearty support and interest in your dealings with Hambleton and Company. This overture gives promise of great things.

I have received a very kind letter from The Honorable Robert P. Skinner, Minister for the United States at Athens, Greece, expressing his interest in Ethiopia and in some of my reports upon current events. Mr. Skinner, as you know, was sent to Ethiopia on special mission in 1903 and later wrote a book about that country. He still keeps a very active interest in Ethiopia, and he took an opportunity to express his condolences upon the passing of two great men in Addis Ababa. He writes that he knew both Fituararari Hapta Giorgis and the Abouna many years ago and was "much impressed by their personality". He adds that although he has no definite news about a new American Legation in Ethiopia he thinks that favorable action will be taken by our Congress in the near future. It seems that Mr. Carey, who has just come direct from the State Department in Washington, has heard that a new Minister may be sent to Addis Ababa next June. Mr. Carey will probably tell you all he knows. This is most encouraging, because when we open an office in Ethiopia, we shall be able to transact our business with much less difficulty than has been my lot here in Aden. It is not satisfactory to do everything by correspondence. We shall be

able

able also to relieve our British friends and colleagues of the burden of doing our work there, for which we are grateful, as it has taken much of their time and has given them much trouble.

With renewed cordial greetings, I am, honored Sire, your true friend.

James Loder Park.

Aden, Arabia, January 24, 1927.

George G. Carey, Jr., Esquire,
American Mission,
Addis Ababa, Ethiopia.

Dear Mr. Carey:

I am grateful for your letter from Djibouti, which came yesterday, and relieved to learn that you and Mr, White got through French territory without trouble and expense. It was too late for me either to help you there or to notify the Ras before you reached Dire Dawa. There is still hope, springing greenly in my chest, that you found the way clear at the latter station, although you may have been obliged to telegraph for a permit covering your lethal equipment. Not until Thursday last, January 20th, afternoon, was I able to send a message to the Regent, worded as follows:

"TAFARI MAKONNEN
"ADDISABABA
"GEORGE CAREY AMERICAIN ARRIVERA ADDISABABA
"DEMAIN POUR AFFAIRE IMPORTANTE VOTRE LETTRE
2 OCTOBRE 1925 SALUTATIONS ECRIVAIS
LODERPARK

Can you make sense of that? It is my habit to wire Ras Tafari in French, in order to enable him to decipher the meaning without recourse to interpreters, in case no one is handy. By the time that was received you were probably sleeping in "de luxe" rooms provided by the funny old Greek hotel man at Hawash, preparing for the morrow's journey to Menelik's chosen city of hills, euc-

alyptus

alyptus and indifferent highways. I hope you had a pleasant journey, although you missed the "Lit-Salon" carriage on the railway, no doubt. These are put only on the Sunday trains, aren't they? If you missed it, by all means manage to get it on the down trip. You will find it most pleasant.

I have written today to Ras Tafari, adding to what was written last mail (Jan. 20) that the overture of Hambleton and Company looks to me like his big opportunity to form a reliable and helpful business contact with America. He is sure to receive you warmly, because this is the first response of moment received to his repeated requests for American collaboration in commercial matters.

You notice that I referred to his letter of October 2, 1925, wherein he asked for an American financial and business expert to administer the Ethiopian firm called the "Sicietes pour le Devoloppement d'Agriculture et de la Commerce", which was founded, I believe, by Menelik and embodies all of the important officials of the Government, including the Empress herself. A company so well sponsored can hardly fail to be a sound proposition if properly run. His Highness frankly admitted that Ethiopians have no, business knowledge, and he has several times reminded me of his original request. While no mention of this matter was made in the letters from your firm or from the Department of State, I have a feeling that it fits in so well with your purposes, that it should not be overlooked. Ras Tafari said that the concern is a banking organization, designed

to

to perform precisely the functions ascribed to Messrs. Hambleton and Company, namely, investment, more especially of the inert wealth of the prominent members of Ethiopian society. In a word, they want to make their money work, and who could better help them than your firm? Possibly you have been told about this request Of H.H., by Dr. Lambie or others and probably you have had this in mind all along. But our correspondence has been so hectic and crwwded into so brief a space, that there has been little opportunity for discussion. Know that I am heartily with you in your work, the unfolding possibilities of which seem very great, and I do not expect to hear that your mission has been in vain. Having begun to feel that perhaps no attention would be given to his request, I lately resolved to cast about in American quarters here for a solution. While still considering the pros and cons of the two firms in Aden having American Connections (one only being an American firm) you appeared on the scene, and I proceeded at once to assure the Ras that he could do no better than obtain the assistance of your firm. I told him of Dr. Lambie's connection with your action, and he should know by this time that he can wholly rely upon Hambleton and Company. I wonder if you can produce a good business manager for him, in addition to the many other valuable services you are eminently fitted to render him and his country? His Highness has mentioned (tentatively only, I think) a salary of from 600 to 800 M.T.$ monthly, or about $3,600 to $4,800 American per annum. He probably did not realize that a genuine

business

business expert administrator would not onyl require more salary but would earn more, through actual results obtained. However, that is a side-issue. If Hambleton and Company is to be Ras Tafri's fiscal representative in America, who could be be better fitted to supply him with the man he needs?

Another point of interest further to above reference to Aden firms, is that I have been trying, with indifferent success, to help two American business men in Aden to improve their oppobtunities here. One is Klauder, American Manager for the district, running A British firm, called the Arabain Trading Company. It s business is 90% per cent American and its chief interest is skins and autbmobiles. The other is Houlberg of Houlberg Kidde Corporation, with lots of capital, but run by young chaps and having little or no experience in Abyssinia. I had told them both about the Regent's request, and both were interested, although neither seemed to be prepared to go up and talk it over at this time. I told Ras Tafari in today's letter that thse two possibilities exist, but that since you are there, he should first of all discuss the matter with you.

If Hambleton and Comapny establish the relations envisaged, we shall indeed have made a long stride forward in bringing Ethiopia from the rush-light to the lime-light.

I hope to meet you here on your return. It was readily understood that you could ill afford to spend an extra week or ten days coming over to Aden. We could indeed discuss many matters of interest, but none of these,as I wirelessed, were essential.

We are wholly in accord on the subject of the British folks upthere. They have told me that while they

must

must introduce Americans to the Ras, they can take no interest in the actual business transacted. It is a question of their prestige. When Americans ignore them, people wonder if they really are our representatives, and that hurts. I cannot but sympathize with them on that point, and I try to persuade all Americans to keep on an even keel and at least avoid friction. In business matters the British are our bitter rivals, and they would like to discourage every American from considering any business extension there. If you see Zafiro, he is sure to pull a long face and woefully inform you that no foreigner has ever made a successful investment in Abyssinia, that the country is like an alligator, swallowing up capitalm without giving any return and opening his jaws for more. It is true that no substantial enterprise has succeeded, for the simple reason that investors have been unspeakable asses and gullible fools, the British Abyssinian Corporation not excepted. Thousands upon tens of thousands have been lost through placing a child-like confidence in seasoned rogues and unregenerate liars, such as Sunios at Dire Dawa, Baghdassarian at Addis and others who might be mentioned if necessary. The newcomers can have no conception of the devious and dobtful ways in which these fellows do "business" and have been in the habit of permitting themselves to be mesmerized by pretty promises, elaborate maps and sweeping concessions. Never once have they gone straight to Ras Tafari. They have been led aside by advanturous interlopers who are out for all they can get, and consequently they have been led to destruction. Never once have they adopted the straight open road taken by Hambleton and Company, getting first of all the sympathy and support of

their

their own Government. If Ras Tafari takes you on now, and lets you down, something will bust. But he won't. He doesn't want to. Heretofore, he has not been permitted to deal openly with a firm with the full knowledge of our great Washington Government. He has been forced to talk with greasy Greeks and Armenians, who were in it for the sole purpose of the money they could make without working.

Please firgive me for this manner of speaking. I am not excited. I am just sorry. Sometimes I am furious.

Do you know how chaps like Baghdassarian work? They hold concessions, good, say, for 50 years, provided something tangible is done within, say, five years. They manage to sell the concession, say, to an American mining syndicate within the time limit, and strive thereafter to make their (the syndicate's)claim to the concession lapse, by using every means at their disposal to obstruct operations. There are many ways of obstructing operations, which are not evident, especially to the uninitiated. Some will tell you that Ras Tafari himself divides the spoils. I feel strongly on that point, because I believe that Ras Tafari would not go back on his word with an American firm sponsored by the American Government. He has not been permitted to deal with Americans, but with rogues, and the result is that he shares their disgrace. Baghdassarian is an Italian protege, and his own Minister, Count Colli, warned me against him! Yours is the first firm in my knowledge which has adopted the correct procedure. Result: our Government is back of you, this Consulate in its littlenway is back of you, and if we get a

Legation

Legation in Addis, it will be back of you, with Ras Tafari into the bargain. You need nothing more, asclong as Abyssinia hangs together, and especially so long as Ras Tafari holds his own. And it will be to our interest to help maintain the "hackneyed" term "status quo". The people who think they are being clever by playing a lone hand to fool the rest, are all wrong. So when Zafiro says "No one ever made money in Abyssinia", just smile, agree with him and hold your peace. By all means agree with them all. Keep harmony at all costs, because it is a touchy, mercurial community, and in the meantime, carry right on with the Regent, without anybody between you save a possible interpreter, -- and a trustworthy one at that. Your friends, as I said before, are going to be Ethiopians, since your dealings are to be with them. You will find no friends in the foreign community, save out there in a certain wonder ful little section of America known officially as the Tafari Makonnen Hospital.

You are right about the necessity of avoiding the British Legation regarding your business. Mr. Bentinck is a gentleman, but Zafiro is not to be given too much rope - none, in fact. My dream is that we might some day be able to work with the British up there, but where business competition gives rise to acrid rivalry, it hardly seems possible at this time. But please do try to keep friendly with the British up there. You need not tell them your business. I count this important, because we still have to live with them, and after all, they are pleasant people to live with.

My best ragards to Mr. White, to Miss White and to all of the good folks there. Would you do me a special favor and present my cordial salutations to His Imperial Highness

Ras

Ras Tafrai and to Dr. Martin?

Again every good wish for your success,

Heartily,

James Lodar Park.

American Vice Consul.

Thursday, January 29th

Addis Ababa.

Dear Park:

Certainly was glad to get your letter. I had no idea you knew these people so well but you have them down to a T. Your advise I think is excellent and I shall do my best to follow it out.

This afternoon White and the Osgood party and I all go to the Gibbi to take pictures of His Highness.

Had tea with him on Teusady and he was quite interested. How he ever understood my French though is beyond me. Am trying to have Dr. Martin there next time I want to talk business. He doesn't miss anything.

Still have my letter of introduction to you from Dr. Lambie. Hope I'll have a chance to use it. If for Grew believed anything Dr. Lambie said about you, you'll be the next minute to Ethiopia.

Must change my togs now so good luck till I see you and after that.

Sincerely,

George G. Carey, Jr.

American Consulate, Aden, Arabia,

January 27, 1927.

George G. Carey, Jr., Esquire,

Care of the American Mission,

Addis Ababa, Abyssinia.

My dear Mr. Carey:

A letter to forward to you gives me an opportunity to expressagain my good wishes for the success of your mission and for the enjoyment of your trip.

I shall be very glad to meet you when you come to Aden. If I were able, I surely would go over and bask in front of an American hearth with you. I need a little leave, anyhow, and of course a chance to see my friends in Addis and to meet White and yourself, would be my idea of a good time.

Unless you prefer to travel on French boats, your coming to Aden will not delay your return to Europe or elsewhere. In this connection, if I can be of any service to you in booking passage or in any other way, you are assured that I am at your "entiere disposition".

I am especially interested at the moment in the status of the Ethiopian Government, as this will have a direct bearing upon all of our relations and activities there, including your own important work. The point is that Ras Tafari has successfully withstood ten years of opposition from conservative elements in the Government, among which were numbered the War Minister, the Abouna and the Queen. The other Rasses were not strong antagonists, but they too have shown

a

a disinclination to recognize the leadreship of Tafari Makonnen, each provincial Governor being a law unto himself.

Now that the War Minister and the Abouna are gone, much depends upon events following the choice of successors, and especially the successor of Hapta Giorgis. What we want is to see an uneventful replacement, preferably of a loyal supporter of the Regent. Then we can deal with the Government as a responsible organization, which is all-important. I have just heard, also, that the Empress has been considering abdication or at least retirement from her present, mainly titular sovereignty, and to go into monastic or convent life. This would be a recognition of Ras Tafari's authority and if he becomes Emperor, we could work to some purpose in Ethiopia.

Might I ask you to keep these things in mind as you carry on your work, and to let me have the benefit (for our Government, of course) of your observations? I should indeed be grateful if you would do so.

Heartily yours,

James Loder Park.

American Vice Consul.

June 11, 1927, Djibouti.

Dear Mr. Park:

Back in this hot box again and if luck is with me Mr. White and I will leave tomorrow by the COMPIEGNE for Marseilles, a dip in the Mediterranean at Monte Carlo, then back to America.

As to my mission to Abyssinia! it remians to be seen. If it hadn't been for that well mannered old gentleman, Dr. Martin, things would have gone quite smoothly, quite naturally he looks out first for his own interests and knows that any American advisors coming into this country would soon discover his obsolete efficiency. The same thing applies to all the men who surround Ras Tafari.

For Ras Tafari himself, my admiration and esteem remains the same but his position is indeed pitiable and if he can stand up under another two years of the present strain, it will surprise me very muc.

The way things stand now is that he is waiting to talk to the New American Minister before taking any action in Hambleton and Company's affairs, so I'm hoping that there may be a chance sometime in the near future for me to come back again, and if I do, it will surely be via Aden, unless as I hope, you are First Secretary in Addis.

Thanks loads for all you have done and please excuse this paper. But in Addis that is not saying much, is it? Heard many nice things about you in Addis and Harar but I'm afraid that in this awful heat, it's just as well I save them for a later date.

Sincerely,

George G. Carey

DEPARTMENT OF STATE

THE SOLICITOR

NE

This information is desired for the use of the Dept as well as the Compilation of Nationality Laws to be published by the Carnegie Endowment.

7/24/29.

PHS

PREPARING OFFICE
WILL INDICATE WHETHER
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Charge Department
OR
Charge to
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TELEGRAM SENT

Department of State

Washington,

Grey

PM SENT
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NONCONFIDENTIAL CODE I
PLAIN

TELEGRAPH OFFICE

JUL 26 29

6

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AMLEGATION

ADDIS ABABA.

23

Send Department ~~dates and~~ texts ~~together with~~ and translations of ~~all~~ existing nationality laws ~~now in force~~ of Abyssinia.

Simon

SO:RWF:

N.E.

PD:TJM:EM:SS

July 26, 19--

Enciphered by.....

Sent by operator.....M., ...19---, ...

Index Bu.—No. 50.

GOVERNMENT PRINTING OFFICE 1—128

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AM RECD
INDEX BUREAU
DEPT. OF STATE
SEP 3 29

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

L.S.O.
NE
RD

July 31st, 1929.

SOLICITOR'S OFFICE
SEP 4 1929
DEPARTMENT OF STATE

Received September 12, 1929.

DEPARTMENT OF STATE
SEP 1[illegible] 1929
DIVISION OF
NEAR EASTERN AFFAIRS

PASSPORT DIVISION
Copy kept
SEP 14 1929
file
DEPARTMENT
OF STATE

INDEX BUREAU
884.012

No. 236.

884.012

The Honorable

The Secretary of State,

Washington.

FILED
SEP 16 1929

Sir:

I have the honor to acknowledge receipt (on July 29th, 1929) of the Department's telegram No. 33 of July 20th, 10:00 p.m., 1929, requiring text and translation of "existing nationalization laws of Abyssinia."

Abyssinia, or Ethiopia according to the official designation which it is understood the Department approves, has no nationalization laws. The general practice has been, without any recorded laws or regulations, not to recognize the right of an Ethiopian subject to take other nationality. There has been an occasional instance where a foreigner has applied for Ethiopian

nationality

nationality but the Legation is unable to learn that any such foreigner has ever been given fully and unreservedly the status of an Ethiopian subject. Nominal protection has been given. There is no law or regulation covering such cases.

The Legation has consulted the Ministry of Foreign Affairs and is definitely informed that while no laws or regulations on the subject of nationalization exist there is an intention to draw up such laws at some time in the future. No definite time is given. If and when laws of the kind are promulgated the Department will be provided with copies and translations as required.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

September 12, 1929.

90

To the American Minister Resident and Consul General,

Addis Ababa, Ethiopia.

The Department refers to the Legation's despatch No. 236 of July 31, 1929, in reply to the Department's telegram No. 33 of July 20, 1929, relative to Ethiopian citizenship.

The telegram required "existing nationality laws of Abyssinia" but it would appear from the despatch referred to, it has been inadvertently transmitted requiring "existing nationalization laws of Abyssinia".

The Department's request was intended to include all nationality laws pertaining to the acquisition or loss of Ethiopian nationality, whether by naturalization, birth, or any other means. As the telegram may have been interpreted as requiring only existing naturalization laws, the Legation is requested to forward to the Department the text and translation, if any, of all Ethiopian laws regarding nationality now in force.

884.012/2

884.012/2

SO:FJM:CLK:SS

JM

Sep. CR 11. 1929

A true copy of the signed original.

JM

DEPARTMENT OF STATE
OCT 1 1929
DIVISION OF FOREIGN SERVICE ADMINISTRATION

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BUREAU OF INSTRUCTIONS
SEP 12 1 2 8 9 10 11 12 1 2 3 4 5 6 7 8
OCT 12 3

DEPARTMENT OF STATE
OCT 7 1929
DIVISION OF
NEAR EASTERN AFFAIRS

INDEX BUREAU
OCT 8 1929
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LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

August 27th, 1929.

October 7, 1929.

2 to Dr Scott
Oct 12

4/10,488

No. 249.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to acknowledge receipt of Circular Instruction, Diplomatic Serial No. 842 of July 16th, 1929, File No. 800.012/122, enclosing, on behalf of the Secretary of the Carnegie Endowment for International Peace, a sheet of data on the nationality laws of this country for which verification is required.

The sheet of data is returned herewith unchanged. It has been verified to the greatest extent possible by oral inquiry directly to the Ethiopian Minister of Foreign Affairs. Ethiopia has no citizenship laws and all matters relating to citizenship or nationality are governed by precedent or custom and the social or family

status

status of the individual. Any case of citizenship or nationality arising at this time would go eventually to the King for decision according to his personal ideas or as expediency might dictate. There is not yet available any intelligibly defined or written procedure. The Minister of Foreign Affairs informs the Legation that a code of citizenship laws and regulations is now under preparation. Until it is completed and promulgated no more definite data can be provided than are contained in the attached sheet. The date of completing and publishing the proposed laws is indefinite and may be considerably delayed.

Ethiopia has no constitution and there is no prospect of one within the next few years. The form of government is more nearly that of an absolute monarchy than otherwise. The rulers are an Empress and a King, but the latter exercises almost complete power in his capacity as Regent Plenipotentiary of the Empire. There is a cabinet of nominal Ministers (many of them feudal chieftains) whose advice the rulers sometimes ask more as a matter of form than with any intention of adopting it. The cabinet ministers are all figureheads in effect and exercise no power outside of very minor internal administration. There is no legislative body. The present basis of all court procedure is the Fetha Negust, an ancient code of laws of more or less religious origin and interpretation. This code is supplemented by an occasional royal decree and an occasional municipal ordinance.

ordinance. Unfortunately no source has been discovered where even a reasonably complete file of such royal decrees and ordinances may be found. No office of the government has this material in accessible form, but the Legation hopes to be able in time to collect some of it.

There is a move under way by the Ethiopian Government to employ European legal advisers and when this occurs there will doubtless be developed a code of laws and regulations of modern form and application. A code of procedure for a Special Tribunal to have jurisdiction over mixed Ethiopian and foreign cases has lately been submitted by the Diplomatic Corps to the Ethiopian Government for consideration. Legal matters between foreigners are adjudicated in the various local Consular courts, the court of the defendant having jurisdiction. This general subject has been reported upon to the Department in various despatches of which recent ones were the Legation's Nos. 154 and 179 of ~~January~~ 8th and April 10th, 1929, respectively.

884.041/17 Feb. 884.041/3

The subject of the inquiry of the Secretary of the Carnegie Endowment for International Peace will be kept in mind and further information will be supplied as promptly as it becomes available.

I have the honor to be, Sir,

Your obedient servant,

Addison E. Southard

1 Enclosure.

ADDISON E. SOUTHARD.

Original returned to Dr Reed

ETHIOPIA

1. Parentage and Nationality.

There is a distinction between the father and mother with regard to the capacity to bestow nationality upon their child in that the father alone has the power as the general rule to give nationality to the legitimate child. The custom of the country in detail is as follows:

A legitimate child of an Ethiopian father has Ethiopian nationality as a general rule. However, when the father is an Ethiopian and the mother is a foreigner protected by one of the foreign legations in Ethiopia, she may, under certain circumstances, give her foreign nationality to their legitimate child. Furthermore, upon the dissolution of the marriage between an Ethiopian man and a foreign woman, the mother can give her nationality to her child provided that the child lives with the mother and provided also that the child is entitled to the mother's nationality according to the law of the mother's country.

Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

A legitimate child of a foreign father and an Ethiopian mother has the nationality of the father provided that the child is entitled to this nationality according to the law of the father's country.

Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

An illegitimate child of an Ethiopian father or mother has Ethiopian nationality if the parent with whom the child lives, or who has the custody of the child, is Ethiopian.

Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

2. <u>Marriage and Nationality.</u>

There is a distinction in the custom of the country as follows between a man and woman with regard to the effect of marriage upon nationality:

> An Ethiopian woman loses Ethiopian nationality upon marriage to a foreigner if the husband is protected by one of the foreign legations in Ethiopia, or if she lives outside of Ethiopia. Otherwise, she retains Ethiopian nationality.
>
> Ethiopian custom, according to information contained in letter dated May 28, 1929. from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

A foreign woman who marries an Ethiopian man is compelled to take Ethiopian nationality unless she is under the protection of a foreign legation in Ethiopia, and is permitted by that legation to retain her original nationality.

> Ethiopian custom, according to information contained in letter dated May 28, 1929. from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

Marriage does not change a man's nationality, under any circumstances.

> Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

3. <u>Regaining Nationality lost by Marriage.</u>

A woman who has lost Ethiopian nationality by marriage can regain Ethiopian nationality upon the termination of the marriage, if she so desires, provided that she lives in Ethiopia.

> Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

A foreign woman who has received Ethiopian nationality upon marriage can relinquish that nationality upon the termination of the marriage by complying with the usual requirements for the relinquishing of Ethiopian nationality.

4. Change of Nationality by Husband or Wife.

There is a distinction in the custom of the country, as follows, between a husband and wife with regard to the effect of a change of nationality by one upon the nationality of the other:

> The naturalization of a foreign man as an Ethiopian carries with it a corresponding change in the nationality of his wife unless she is under the protection of a foreign legation, in Ethiopia and continues, with the consent of that legation, to keep her original nationality, or unless she lives outside of Ethiopia.
>
> Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

The relinquishing or loss of Ethiopian nationality by an Ethiopian man carries with it a corresponding loss in the nationality of his wife if she leaves Ethiopia.

> Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

A woman, on the other hand, has no power by any independent action on her part to change her husband's nationality.

> Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

5. Change

5. Change of Nationality by Parents.

There is a distinction in the custom of the country as follows between a father and mother with regard to the effect of a change of nationality upon the nationality of their children:

> The naturalization of a foreign man as an Ethiopian carries with it a corresponding change in the nationality of his minor children.
>
> Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

The relinquishing or loss of Ethiopian nationality by an Ethiopian man carries with it a corresponding change in the nationality of his minor children.

> Ethiopian custom, according to information contained in letter dated May 28, 1929, from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

> A woman, on the other hand, has no power to change the nationality of her legitimate children during the continuance of the marriage.
>
> Ethiopian custom, according to information contained in letter dated May 28, 1929. from United States Legation, Addis Ababa, Ethiopia, addressed to Inter-American Commission of Women.

6. Dates of Constitution, Code, and Nationality Laws at Present in Force.

Constitution: ?

Code: Fetha Negust - an ancient code of laws of more or less religious origin and interpretation.

Nationality Laws; ?

Note - Information is particularly desired upon the following points:

1. Can a foreign married woman be naturalized as an Ethiopian independently of her husband?

2. Can a married Ethiopian woman relinquish Ethiopian nationality independently of her husband?

3. Are there any special privileges connected with nationality which are possessed by Ethiopian men and not by Ethiopian women, or vice versa, other than those covered in the above outline?

AM RECD
INDEX BUREAU
DEPT. OF STATE
NOV 18 29

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.,

SOLICITOR'S OFFICE
NOV 19 1929
DEPARTMENT OF STATE

October 14th, 1929.

File
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11/21/29

FOR DISTRIBUTION

DEPARTMENT OF STATE
NOV 19 1929
DIVISION OF
NEAR EASTERN AFFAIRS

INDEX BUREAU
884.012/5

FILED
NOV 22 1929

No. 277.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to acknowledge receipt of the Department's memorandum instruction No. 90 of September 12th, 1929, File No. 884.012/2, with reference to the existing nationality laws of Abyssinia.

There are no existing laws regarding nationality in Ethiopia. Comment upon the situation was made in the Legation's No. 249 of August 27th, 1929, from which the following paragraphs are quoted for more ready reference by the Department:

> "Ethiopia has no citizenship laws and all matters relating to citizenship or nationality are governed by precedent or custom and the social or family status of the individual. Any case of citizenship or nationality arising at this time would go even-

tually

tually to the King for decision according to his personal ideas or as expediency might dictate. There is not yet available any intelligibly defined or written procedure. The Minister of Foreign Affairs informs the Legation that a code of citizenship laws and regulations is now under preparation. Until it is completed and promulgated no more definite data can be provided than are contained in the attached sheet. The date of completing and publishing the proposed laws is indefinite and may be considerably delayed.

"Ethiopia has no constitution and there is no prospect of one within the next few years. The form of government is more nearly that of an absolute monarchy than otherwise. The rulers are an Empress and a King, but the latter exercises almost complete power in his capacity as Regent Plenipotentiary of the Empire. There is a cabinet of nominal Ministers (many of them feudal chieftains) whose advice the rulers sometimes ask more as a matter of form than with any intention of adopting it. The cabinet ministers are all figureheads in effect and exercise no power outside of very minor internal administration. There is no legislative body. The present basis of all court procedure is the Fetha Negust, an ancient code of laws of more or less religious origin and interpretation. This code is supplemented by an occasional royal decree and an occasional municipal ordinance. Unfortunately no source has been discovered where even a reasonably complete file of such royal decrees and ordinances may be found. No office of the government has this material in accessible form, but the Legation hopes to be able in time to collect some of it.

"There is a move under way by the Ethiopian Government to employ European legal advisers and when this occurs there will doubtless be developed a code of laws and regulations of modern form and application. A code of procedure for a Special Tribunal to have jurisdiction over mixed Ethiopian and foreign cases has lately been submitted by the Diplomatic Corps to the Ethiopian Government for consideration. Legal matters between foreigners are adjudicated in the various local Consular courts, the court of the defendant having jurisdiction. This general subject has been reported upon to the Department in various despatches of which recent ones were the Legation's Nos. 134 and 179 of January 8th and April 10th, 1929, respectively."

It is difficult to find any pronouncement from the

Ethiopian

Ethiopian Government on this subject, excepting that such laws are now under consideration. By inquiry among my colleagues I learn that in 1926 the British Legation was officially informed by the Ethiopian Government that it refused (in a certain instance) to recognize any change of nationality on the part of an Ethiopian subject. From other sources the Legation is informed that this ruling is not always adhered to. There is, however, no legally established uniform procedure in the premises. The general attitude of the other foreign Legations here is to deal with each case as it arises, pending the publication by the Ethiopian Government of actual laws or regulations. Unfortunately there exists no compilation of decisions, or other source of reference, as to action which has been taken in cases which have arisen.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

AM RECD

DEPARTMENT OF STATE BUREAU
DEPARTMENT OF STATE
DEC 6
ASSISTANT SECRETARY OF STATE

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

SOLICITOR'S OFFICE
DEC 5 1929
DEPARTMENT OF STATE

November 6th, 1929.

Copy sent
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12/16/29

FOR DISTRIBUTION

Embassy Rome

Copy Transmitted by The
Commercial Office (A-C/O)
To : Rome
12/16/29

884.012

No. 289.

DEPARTMENT OF STATE
DEC - 6 1929
DIVISION OF
NEAR EASTERN AFFAIRS

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's No. 277 of October 14th, 1929, on the subject of Ethiopian laws of nationality which do not yet exist.

The Department may be interested in knowing that this subject came up a few days ago in a meeting of the local Diplomatic Corps in which there was particularly pointed comment by the British, French and Italian Ministers over the difficulties caused their Legations by the failure of the Ethiopians to establish nationality and citizenship laws. Apparently the natives of British, French and Italian colonial territory adjoining

Ethiopia

884.012/6

FILED
DEC 17 1929

Ethiopia are able to come into Ethiopia and on occasion to obtain Ethiopian passports. The procedure is irregular and could not be carried out, of course, without irregular action on the part of Ethiopian officials. Frequently these British, French and Italian Africans are wanted by the officials of the colonies concerned and in the instances where they have obtained Ethiopian passports no action can be taken without developing official difficulties which the present policies of the three powers concerned endeavor to avoid in relations with Ethiopia.

I have gathered from the remarks of my Italian colleague that various Eritrean natives have taken Ethiopian passports with consequent injury to Italian official sensitiveness or pride, if with no more substantial reaction. Italian political megalomania in this part of the world apparently considers it most offensive and traitorous on the part of any colonial native who has been honored with Italian citizenship to shift to any other national allegiance.

My Italian colleague is Dean of the Diplomatic Corps and upon his persuasion the Corps as a body has authorized him to press a request upon the Ethiopian Government for some pronouncement upon the matter of its attitude in the matter of nationality. As previously reported to the Department I some months ago asked the Ethiopian Minister of Foreign Affairs about

nationality

nationality laws and he replied that such were in course of preparation. A response of this kind is, of course, often resorted to by Ethiopian officials to take care for the time of embarassing inquiries and may not carry with it any definite intention of action within a reasonable period.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

INDEX BUREAU
RECEIVED
DEC 26 1923
Dep't. of State

UNITED STATES GEOGRAPHIC BOARD

WASHINGTON

December 26, 1923.

November 13, 1923.

DEPARTMENT OF STATE
DEC 26 1923
DIVISION OF NEAR EASTERN AFFAIRS

Col. Lawrence Martin,
Division of Political and Economic Information,
Department of State,
Washington, D. C.

Dear Col. Martin:

The Board is in receipt of a letter from Denoyer-Geppert Company, Map Publishers, Chicago, Illinois, stating that there is a report to the effect that the official name of Abyssinia, hereafter, will be Ethiopia.

The Permanent Committee on Geographical Names, of the Royal Geographic Society, have established the form Abyssinia. I would like to secure any data the State Department may have in regard to the official name for this country.

Thanking you in advance for your courtesy,

I am,

Very truly,

Frank Bond

Acting Secretary.

ERM: AMF

INDEX BUREAU
884.0144

DECEMBER [illegible], 1923.

Mr. James McCormick,

Secretary, United States Geographic Board,

Interior Building,

Washington, D. C.

Dear Mr. McCormick:

The receipt is acknowledged of your letter of November 13, 1923, in which you ask for any data the Department of State may have regarding the official name of Abyssinia.

In reply I beg to inform you that the Permanent Committee on Geographical Names for British Official Use has adopted the name "Abyssinia", with this supplementary indication, among others: "Official English Ethiopia". The Monthly Summary of the League of Nations for September 15, 1923, announced that the country in question had applied for membership in the League, under the name "Ethiopia". The treaties of 1903 and 1914 between the latter Government and that of the United States also specify "Ethiopia", which form

is

884.014/-

is understood to be preferred by the authorities of the country. In its current correspondence, however, the Department of State employs the term "Abyssinia".

The following additional usages have been observed. The Almanach de Gotha for 1923 designates this country as "Ethiopie (Itiopia)". The Times Survey Atlas of the World, published in 1922, adopts "Abyssinia". The Statesman's Year Book for 1923, Andree's Allgemeiner Handatlas (1922), Stieler's Handatlas, and the Atlas Universal de Geographie use, with appropriate variations in spelling, "Abyssinia", followed in parenthesis by "Ethiopia".

Yours very truly,

Lawrence Preston

Representative of the Department of State on the United States Geographic Board.

NE BGD/LVD

P.I. / P.R.B.

Alvey A. Adee.

Dec 24 1923.

DOCUMENT FILE

NOTE

INDEX BUREAU
884.014

SEE 123 Sk 3/246 FOR #766

FROM Paris (Skinner) DATED Sept. 23, 1925.
TO

NAME

1—1127 G P O

REGARDING:

Suggests abandoning the use of the word Abyssinia in favor of Ethiopia.

G

DEPARTMENT OF STATE

THE DIVISION OF PUBLICATIONS

January 12, 1926.

Memorandum for file.

The suggestion that the name "Ethiopia" be adopted in place of "Abyssinia" was made in Consul General Skinner's despatch No. 766 of September 23, 1925 (123 Sk 3/246). Memorandum attached to that correspondence indicates that Mr. Dallas of NE concurs.

SWB

Dear Mr. McCormick:

You will find enclosed two cards for the consideration of the United States Geographic Board. One refers to the country in Africa commonly known as Abyssinia, and the other refers to the capital of that country. Supplementing the card for Abyssinia, or Ethiopia, there is enclosed herewith a sheet containing information which cannot be placed on the card.

The Department of State suggests the adoption of the name Ethiopia rather than Abyssinia. It also suggests the adoption of the spelling Addis Ababa for the name of the capital of Ethiopia.

I am, my dear Mr. McCormick,

Very truly yours,

LW Boggs

Enclosures:
Two cards.
Supplemental sheet.

Representative of the Department of State on the United States Geographic Board.

Mr. James McCormick,

Secretary, United States Geographic Board,

Interior Building,

Washington, D. C.

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JAN. 14, 1926

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U. S. GEOGRAPHIC BOARD

Adopted name } .....

Thing named } Kingdom, eastern Africa

Names	Authorities
*Abyssinia; Amharic .. * Ityopya; official English, Ethiopia; French, Abyssinie and Ethiopie; Italian, Abissinia and Etiopia; German, Abessinien and Äthiopien; Arabic .. * Habesha."	-- P.C.G.N., "First General List of African Names," Dec., 1924.
Ethiopia	Treaties between the U.S.A. and Ethiopia, 1903, 1914.
Ethiopia	The Foreign Office List and Diplomatic and Consular Year Book, Great Britain, 1924, p. 46
Abyssinia	The Times [London] Survey Atlas of the World, 1922.
Abyssinia(Ethiopia)	Statesman's Year Book, 1925.
Local usage Ethiopia	

Submitted by Dept. of State

Date JAN 12 1926

This card prepared by

GOVERNMENT PRINTING OFFICE

Recommendation of Executive Committee

U. S. GEOGRAPHIC BOARD

Adopted name } .....

Thing named } Capital of Ethiopia (Abyssinia)

Names	Authorities
*Addis Ábaba: pr. Ádduss (nearly): Abyssinia; Amharic ....; (not Adis Abbaba, Abeba, Abeba)."	—P.C.G.N., "First General List of African Names." Dec., 1923.
Addis-Ababa	Treaty between the U.S.A. and Ethiopia, 1903.
Addis-Abeba	Treaty between the U.S.A. and Ethiopia, 1926.
Addis Ababa	Statesman's Year Book, 1925
Addis Abbaba	The Times [London] Survey Atlas of the World, 1922
Addis Abeba	Atlas Universal de Geographie
Local usage [Amharic characters]	See P.C.G.N. list cited, and B.G.S.II, p. 69.

Submitted by Department of State

Date JAN 12 1926

This card prepared by [signature]

GOVERNMENT PRINTING OFFICE

Recommendation of Executive Committee

ETHIOPIA (ABYSSINIA)

Abyssinia: League of Nations A. 105 - 1923, VII (September 26, 1923) with reference to the admission of Abyssinia to the League of Nations. Refers consistently to the administration of "Abyssinia" to the League. Text refers to the "Queen of the Kings of Ethiopia" and to the "Crown Prince of Ethiopia."

Ethiopia: Ratifications of Universal Postal Convention, signed at Madrid, November 30, 1920, (British State Papers, 116, 1922, pages 570, 571).

Ethiopie: Dictionnaire des Bureau de Poste, publié par le Bureau International de l'Union Postale Universelle (1909).

Ethiopie: Treaty between Greece and Ethiopia, signed February 18, 1922. Text in the French, (British State Papers, 116, 1922, page 776).

Abyssinia: Hertslet's Commercial Treaties, Volume XXX, 1924, (no reference to Ethiopia in text).

Abyssinia(officially Ethiopia): Encyclopaedia Britannica, (1910).

Abyssinia(officially Ethiopia): Encyclopedia Americana, (1920).

Abyssinia: The New International Encyclopaedia, (1917).

DEPARTMENT OF STATE

OFFICE OF
COORDINATION AND REVIEW

ant Secretary
of State OCT 18 1926

OCT 1926

ME
AC

Dear Mr Shaw:

Would you look
at these 3 amend
& let me have your
comment?

Dorr

DEPARTMENT OF STATE

ASSISTANT SECRETARY
A-C
October 20, 1926.

Dear Miss Hanna:

My own opinion is that the Department should use the name Ethiopia, for the reasons stated in Mr. Boggs' memorandum. I have notified the Bureau of the Budget to use the word Ethiopia rather than Abyssinia in the new appropriation for a Minister to that country.

W. J. C.

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

Mr. Hamm:

I think Mr. Boggs makes out a sound case for the use of Ethiopia instead of Abyssinia. However I should apply to Ethiopia a name meaning confusion.

OCT 23 1926

JHS.

GPO

DEPARTMENT OF STATE

DIVISION OF PUBLICATIONS

October 18, 1926.

CR
Miss Hanna:

The accompanying copy of a memorandum to Mr. Carr, together with the correspondence referred to therein, will, I trust, furnish the information requested in your two memoranda regarding the question of the name of "Abyssinia".

Swift
To

DP
file

DEPARTMENT OF STATE

DIVISION OF PUBLICATIONS

Index Bureau
RECEIVED
OCT 27 1926
Dept. of State

October 18, 1926.

OCT 1926

A-C: Mr Carr

The following information with reference to the names Abyssinia and Ethiopia is given in response to your telephone request last Saturday:

Ethiopia is the name which is preferred by the Government and people of the country. Mr. R. P. Skinner, in his Paris despatch No. 766 of September 23, 1925 (123 Sk 3/246) wrote as follows:

> "In this connection, I respectfully suggest that it would be more strictly correct to abandon the use of the word Abyssinia in favor of Ethiopia. The Government of the country considers Ethiopia to be its proper name, and it is under this name that our treaty appears in the official volume of Treaties, Conventions and International Acts, and in the body of the treaty Ethiopia alone is mentioned from time to time. I believe that it would be gratifying to the existing Government of Ethiopia if the use of the word Abyssinia could be dropped."

The suggestion that the name Ethiopia be adopted for official use by the Government was approved by Mr. Dulles of the Division of Near Eastern Affairs and was adopted by the United States Geographic Board February 3, 1926.

Ethiopia is the term employed not only in the two Treaties of 1903 and 1914, between the United States and that country, but also in the treaties between Great Britain

and

INDEX BUREAU
884.014/2

FILED
APR 21 1927

and Ethiopia and it is so listed in the "Foreign Office List and Diplomatic and Consular Year Book, Great Britain", 1924, page 48. It also appears as Ethiopia in the ratifications of the Universal Postal Convention signed at Madrid November 30, 1920 (British State Papers, 116, 1922, pages 570, 571). The French equivalent, Ethiopie appears in various treaties as in that between Greece and Ethiopia signed February 18, 1922 (British State Papers, 116, 1922, page 776) as also in the "Dictionnaire des Bureau de Poste, publié par le Bureau International de l'Union Postale Universelle (1909)".

The name of the country in the language of the country, Amharic, is, transliterated, Ityopya.

The objection of the people of the country to the term "Abyssinia" arises from the fact that the Arabic word "Habesha", from which it is derived, means "confusion", and that it has come to connote, as the Arabs use it with reference to "Abyssinia", "mongrel".

Admittedly the term Abyssinia is much more widely used. It is used in Hertslet's Commercial Treaties, Volume 30, 1924. It is also used by the League of Nations in the documents referring to the admission of " Abyssinia" to the League of Nations, although the text refers to "Queen of the Kings of Ethiopia" and to the "Crown Prince of Ethiopia".

"Abyssinia"

"Abyssinia (officially Ethiopia)" appears in the Encyclopaedia Britannica and the Encyclopedia Americana.

DP:SWB:EAB:SS

DOCUMENT FILE

NOTE

SEE 884.01/8 FOR #108

FROM Abyssinia (Southard) DATED Dec.11,1928

TO

NAME

1—1127

INDEX BUREAU

884.01/3

REGARDING: the extent and importance of the six greater states of Ethiopia: Godjam, Shoa, Gondar, Tigre, Harrar and Wollo; with particular information on Godjam, ruled by Ras Hailu Takla Haymanot, and the only province retaining its own hereditary royal ruler.

Wh

Addis Ababa,
Ethiopia.

December 11th, 1928.

~~CONFIDENTIAL~~

No. 108.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to report that I have recently heard from various sources that the coronation of Tafari Makonnen as King has aroused both ambition and dissatisfaction on the part of Ras Hailu Takla Haymanot, hereditary ruler of the western Ethiopian state or province of Godjam.

My Diplomatic Despatch No. 39 of June 19th, 1928, discusses briefly the relation to the central government of the various Ethiopian states or provinces including Godjam. The latter is one of the six greater or more important states of Ethiopia. The others are

are Shoa, Gondar, Tigre, Harrar and Wollo. The latter two are conquered Moslem territories whereas Godjam, Shoa, Gondar and Tigre are more or less pure Ethiopian and Christian.

Godjam is the only important state or province in Ethiopia which retains its own hereditary royal ruler. Ras Hailu is the descendant of a royal family which has ruled Godjam from early periods of Ethiopian history. As the Emperor, or King of Kings, of Ethiopia has usually been a state or provincial ruler who has triumphed over his weaker or less aggressive colleagues so Ras Hailu feels that he is entitled to the throne of the Empire if he can get it. In illustration there may be cited the great Emperor Menelek II who was originally King of Shoa and became ruler of Ethiopia as a whole by exercise of military force against other provincial rulers. King Tafari, who is near to becoming Emperor, while a member of the Shoan royal family actually is King or ruler of the province of Harrar. He is approaching the throne of Emperor by the exercise of unusual statecraft and other peaceful means.

Ras Hailu is considered as sympathetic with the party of the Empress although he has many connections in the Progressive or Tafari party. He is a very able man and his province is one of the most firmly ruled and prosperous in Ethiopia. He is considered as

powerful

powerful that when Tafari made his trip to Europe a few years ago Hailu was taken along. The latter paid for his trip in a somewhat unique way. He announced to his subjects in Godjam that the trip would be expensive and that to show their loyalty each one should contribute a dollar. They did so. According to his defamers even the lepers were forced to contribute and some of these unfortunates brought the dollar in the mouth, having no hands in which to carry it.

Hailu's considerable ability and force are generally conceded but he is also generally reputed as avaricious, untruthful, and unreliable where his own selfish interests are concerned. In addition to ruling his province in the usual conception he is also the principal merchant and monopolizes all trade. After his return from Europe it is said that he got the idea of building a hotel and bar at his capital city of Debra Markos. All who come to that town must stop at his hotel if they expect a favorable reception from him. The enterprise is profitable. He is also complained about by his district chiefs and other subordinates in government because, as they say, he exacts unusually large annual payments from them for the privilege of participating in the government of the state. They, of course, in turn recover from the wretched peasant who eventually pays for everything in Ethiopia.

Various

Various complaints of the avarice of Ras Hailu have been made to the central government in Addis Ababa but with little effect. On the occasion of the last complaint (brought by his own sister) he is said to have been ordered by the Empress to come to Addis Ababa. He replied that he would come if the central government had the force to bring him.

This doughty Ras also owns extensive properties in Addis Ababa from which his rent roll is said to be lucrative. He has also lesser interests in the capital city which include the operation of a fleet of taxis developed from ideas gained from his trip to Europe with Tafari. The central government could possibly confiscate these properties in Addis Ababa as punishment for his disobedience and that such has not been done shows that he really is feared.

Hailu's state of Godjam is cut off from the rest of Ethiopia by the Blue Nile canyon and is more or less impregnable to invasion from Addis Ababa. His army is estimated to consist of about 40,000 active rifles as compared to 10,000 for Shoa, 35,000 for Gondar, 30,000 for Tigre, 15,000 for Wollo, and 30,000 for Harrar. Tafari controls the forces of Shoa, Wollo and Harrar, and has in addition his personal troops at Addis Ababa which have the most modern arms in Ethiopia including the only considerable number of machine rifles and machine guns, and the only tank. Hailu is not, therefore,

therefore, likely to attempt any military action in the direction of Addis Ababa without appreciably more outside assistance than he can now apparently muster. And this leads up to one of the points to be made in this despatch.

Ras Hailu's state borders on the Anglo-Egyptian Sudan. The British have always cultivated him. I have heard much gossip lately that they have supplied him with modern arms in return for certain favor and influence. Some of the latter is of a general character and some directly connected with Lake Tsana the outlet of which he controls. After considerable informal and tactful conversation at various times I was informed the other day by a responsible official of the local British legation who is soon to leave that they had had direct inquiry from Hailu as to their attitude should he attempt by force to oust Tafari. Their reply was that they would have no cause to interfere in that or any other of the internal affairs of Ethiopia.

It is not believed that Hailu seriously considers a step of the sort although he is alleged to be developing a political megalomania which might in time lead to such consideration. There is no reason to believe that he could be successful by the use of military force. But he holds other cards. His favorite daughter was married to Lij Yasu, the heir

to

to the throne who was deposed in 1916. As the marriage was a religious one divorce has probably not been granted although I have not found it possible to obtain conclusive information on this point. The daughter lives with her father and Lij Yasu is a political prisoner in the hands of Ras Kasse at Fichè near Addis Abeba. There is alleged to be a son by the marriage who is regarded with considerable affection by Hailu. Should he see no chance for his own success he might conceivably advance the cause of this son as heir to the throne of the father Lij Yasu whose right forfeited by the revolution of 1916 came from nomination by the great Emperor Menelek himself. Hailu could thus augment his own military and political force by alliance with the scattered remnants of the Lij Yasu party.

Ras Hailu is, incidentally, probably the richest man in all Ethiopia excepting King Tafari. Money is power in this country as elsewhere, and the power is of superior quality when the money is in the hands of so intelligent, astute and resourceful a man as the ruler of Godjam. His province is considered exceptionally rich in gold and other minerals.

My knowledge of the political situation in Ethiopia inclines me to the opinion that Ras Hailu could not gain any important successes against King Tafari should he elect to try. This despatch, however,

seems

seems called for by the persistent rumors of Hailu's attitude in order that the Department may have on file just so much additional background information should hostilities of any sort develop.

DOCUMENT FILE

NOTE

INDEX BUREAU

884.01/14

SEE 884.01/13 FOR #242

FROM Abyssinia (Southard) DATED Aug.15,1929.

TO NAME

1—1127

BACKGROUND: Enclosing tentative list of Governors, with indication of the districts governed, many of which have no definite boundaries.

kn

October 24, 1929

No. 97

To the American Minister,

Addis Ababa.

The Secretary of State refers to the Minister's two despatches Nos. 136 and 138 of February 9 and 12, 1929, respectively, and to the following paragraph in the informal comments of the Near Eastern Division for the month of March, 1929.

> As the Division has had some difficulty in the past in following the legation's references to provincial rulers, it is suggested that a rough sketch map might be prepared indicating the approximate boundaries of the various provinces with notations as to the rulers in each. With this in mind there is enclosed a photostat copy of a similar map published in January 1918. Though it is by now out of date it may prove useful in preparing the sketch suggested.

The map which accompanied the "informal comments" was a photostat copy of a portion of a map entitled "Abyssinia," which appeared in a confidential publication of the British Naval Intelligence Division, "Personalities - Abyssinia," January, 1918.

The Consul General in London has been instructed to purchase and send to the Minister two copies of British War Office Map G.S.G.S. 2319, entitled "Abyssinia," scale 1:3,000,000. The scale of this map is identical with that of the photostat map which was sent to you, and the map is similar in most respects, except for the political boundaries.

The

The Secretary of State requests the Minister to furnish to the Department the information with reference to the approximate boundaries of the various provinces on one of the two copies of the British War Office map. The other copy may be retained for your files.

HA; SWB; BKR

SWB

FA
Hall

CR
Oct. 23, 1928

TD

DOCUMENT FILE

NOTE

SEE 884.77 Franco-Ethiopian/9 FOR #122

FROM Abyssinia (Southard) DATED Jan.19,1929

TO NAME

1—1127

REGARDING: expected protest of Ethiopian Government charging French with armed intervention on Ethiopian territory, as result of stationing of a French Legation guard at scene of construction of a merchandise warehouse by a French merchant, to which Ethiopian Government had objected.

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884.01 46/1

Wh

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 2103

London, August 19, 1927.

DEPARTMENT OF STATE
AUG 29 1927
DIVISION OF FOREIGN SERVICE ADMINISTRATION

SECRET BUREAU
AUG 27 1927
DEPT. OF STATE

July 27 1933
DEPARTMENT OF STATE
SEP 8 1927
DIVISION OF NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
SEP 8 1927
DIVISION OF WESTERN EUROPEAN AFFAIRS

September 2, 1927.

INDEX BUREAU
884.01/5

FILED
SEP 10 '27

For Distribution

yes	no

DIV OF PUBLICATIONS
SEP 8 1927
DEPT. OF STATE

The Honorable

The Secretary of State,

Washington.

Sir:

800.015 484

In reply to the Department's instruction No. 1034 of August 4, 1927, requesting the Embassy to endeavor to obtain from the British Foreign Office information concerning the national flag of Ethiopia, which is desired by the Secretary of the Navy, I have the honor to report that, according to the Foreign Office, the national flag of Abyssinia is composed of three horizontal bands of green, red and yellow in descending order and of equal width.

In

In time of war a design depicting St. George and the Dragon is affixed in the centre. In so far as is known there is no official sketch of the flag obtainable.

The Foreign Office further states that Plate 54-a in "Flags of All Nations", which was published by the British Admiralty in 1916, contains a colored cut of the Abyssinian flag, but in this cut the red and yellow stripes were erroneously placed in reverse order. A new edition of "Flags of All Nations" is being prepared and will, in all probability, be published within a year.

I have the honor to be, Sir,

Your obedient servant,

For the Ambassador:

Ray Atherton
Secretary of Embassy.

In reply refer to
FA 884.015/-

September 2, 1927

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy and, referring to his letter of July 20, 1927, has the honor to enclose for his information a copy of a despatch from the American Ambassador at London reporting with respect to the national flag of Ethiopia.

800.015/484

F.W. 884.015/15

Enclosure:
From Great Britain
No. 2103, August 19,
1927.

CR
Sept.2.192

FA:LEG/KEB:SS
F

A true copy of the signed original
H.C.B.

File

DEPARTMENT OF STATE

OFFICE OF
COORDINATION AND REVIEW

October 14, 1926.

DP

Mr. Boggs:

As you will see from the despatch herewith, Great Britain calls this territory "Abyssinia" and it is generally so called. The Geographic Board's ruling to have this territory called "Ethiopia" is liable to cause confusion and people generally would probably not know what was meant. I suggest that you bring this to the attention of the Board at some early meeting to see if the Board will not consent to the use of the generally recognized term "Abyssinia".

WWH

DEPARTMENT OF STATE

DIVISION OF PUBLICATIONS

September 9, 1926

CR:

The United States Geographic Board, at its meeting of February 3, 1926, rendered the following decision:

"Ethiopia; kingdom, northeastern Africa. (Not Abyssinia nor Ethiopie.) Ethiopia is the name used by the Government of that country."

DP/ SWB/ IMR

DEPARTMENT OF STATE

OFFICE OF
COORDINATION AND REVIEW

Dpd -

Please note memo from Mr. Shaw. Do you know if there is a Departmental or Geographic Board meeting which authorizes the use of Togoland in place of Guyenne?

M. G. F.

Sept. 9 -

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

Sept. 7, 1926.

Ch.

I am under the impression that there is a Departmental Order or other formal doctrinal pronouncement which says that nobody must calle Ethiopia Abyssinia.

Sent.
7.

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 1278

London, August 18, 1926.

DEPARTMENT OF STATE
SEP 1 1926
DIVISION OF FOREIGN SERVICE ADMINISTRATION

DEPARTMENT OF STATE
OCT 2 1926
DIVISION OF NEAR EASTERN AFFAIRS

AUG 31 1926 DEPT. OF STATE

DEPARTMENT OF STATE
OCT 27 1926
DIVISION OF WESTERN EUROPEAN AFFAIRS

INDEX BUREAU
OCT 28 1926

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Department's instruction No. 402 of March 3, 1926, and to quote from a Foreign Office note, which has just been received, regarding the national anthem of Abyssinia:

"Mr. Maclean reports that upon receipt of instructions immediate enquiries were made of Ras Taffari and that His Highness replied that there was a national anthem of which he would have a copy of the words and music made.

"made. The matter has been raised with His Highness on several occasions but the invariable answer has been that it was being prepared.

"It is possible that no national anthem exists and that an anthem is being specially composed in order to bring Abyssinia into line with other countries. It is hoped however eventually to obtain further information from the Abyssinian authorities on the receipt of which Sir Austen Chamberlain will not fail to address a further note to Mr. Houghton."

I have the honor to be, Sir,

Your obedient servant,

For the Ambassador:

Ray Atherton
First Secretary of Embassy.

September 13, 1926

In reply refer to
FA 884.0159/ -

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy, and referring to previous correspondence regarding the desire of the Navy Department to obtain copies of the words and music of the national anthems of foreign countries, has the honor to inform him of the receipt of a despatch No. 1278 of August 18, 1926, from the American Ambassador at London.

With respect to the national anthem of Abyssinia, it appears that after numerous inquiries and repeated promises on the part of the Abyssinian Government, no results have been obtained. It is hoped, however, eventually to obtain further information in the matter.

884.0159/-

FA: LEG|MRR SS:

Sept. 3, 1926 pm Sept. 13 pm

Sept. 9, 1926.

September 13 1926

In reply refer to
FA 884.0159/ -

The Secretary of State presents his compliments to the Honorable the Secretary of War, and referring to previous communications of the Department of State, transmitting the national anthems of the various foreign governments, has the hŏnor to inform him of the receipt of a despatch No. 1278 of August 18, 1926, from the American Ambassador at London.

With respect to the national anthem of Abyssinia, it appears that after numerous inquiries and repeated promises on the part of the Abyssinian Government, no results have been obtained. It is hoped, however, eventually to obtain further information in the matter.

FA: LEC|MRR 88: CR mk

Sept. 3, 1926 pm

Sept 8 1926.

Sept 9, 1926.

Sept. 10, 1926 pm

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 1730 London, March 26, 1927.

DEPARTMENT OF STATE
APR 9 1927
DIVISION OF FOREIGN SERVICE ADMINISTRATION

APR 13 ...
DEPARTMENT OF STATE

APR 11 14 1927.

0159

Note 800.

APR 8 1927 DEPT. OF STATE

INDEX BUREAU 884.0159

The Honorable

The Secretary of State,

Washington.

Sir:

In further reference to the Department's instruction No. 402 of March 3, 1926, and to the Embassy's despatch No. 1278 of August 18, 1926, regarding the National Anthem of Abyssinia, I have the honor to forward, hereto annexed, a copy, in triplicate, of a note which I have just

800.0159/3
884.0159

FILED APR 14 1927

just received from the Foreign Office in this regard, as well as a manuscript copy and a photostatic copy of the music of the National Anthem of Abyssinia.

I have the honor to be, Sir,

Your obedient servant,

For the Ambassador:

F. A. Sterling
Counselor of Embassy.

Enclosures:

Foreign Office note No. L 1628/415/405, March 24, 1927.
Manuscript copy of music of National Anthem of Abyssinia.
Photostatic " " " " " " " "

COPY.

No. L 1628/415/405.

His Majesty's Principal Secretary of State for Foreign Affairs presents his compliments to the United States Ambassador and, in continuation of his note No. L 5266/1689/405 of August 16th last, has the honour to transmit to His Excellency herewith a manuscript copy of the music of the National Anthem of Abyssinia which has been received from His Majesty's Minister at Addis Ababa.

2. An enquiry is being made of His Majesty's Minister as to the words of the Anthem, and Sir Austen Chamberlain will not fail to address a further note to Mr. Houghton upon the receipt of Mr. Bentinck's reply.

FOREIGN OFFICE, S. W. 1.

24th March, 1927.

In reply refer to
FA 884.0159/1

April 14, 1927.

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy, and referring to previous correspondence, regarding the desire of the Navy Department to obtain copies of the words and music of the national anthems of foreign countries, has the honor to enclose a copy of a despatch from the American Ambassador at London, a copy of a note received by him from the Foreign Office, and a manuscript copy of the music of the national anthem of Abyssinia.

Enclosure:
From Great Britain, No. 1730, March 26, 1927, with note, and manuscript copy of the Abyssinian Anthem.
FA/L EG/MEA/SS

A true copy of the signed original.

15, 1927.

S.C.H

811.884.0159/1

In reply refer to
FA 884.0159/1

April 14, 1927.

The Secretary of State presents his compliments to the Honorable the Secretary of War, and referring to previous communications of the Department of State transmitting the national anthems of the various foreign governments, has the honor to enclose a copy of despatch No. 1730 of March 26, 1927, from the American Ambassador at London, a copy of a note received by him from the Foreign Office, and a photostatic copy of the music of the national anthem of Abyssinia.

Enclosures:
As above stated.

FA/LEG/MEA/SS

A true copy of the signed original.

CK
April 13.1927.

H.C.H.

884.0159/1

884.0159

No. 2000

DEPARTMENT OF STATE
JUL 19 1927
DIVISION OF FOREIGN
SERVICE ADMINISTRATION

AM RECD
EMBASSY OF THE
UNITED STATES OF AMERICA

INDEX BUREAU
DEPT. OF STATE

JUL 18 27

London, July 6, 1927.

EA
To Wart Navy 7/21/27
RLG

July 26, 1927.

INDEX BUREAU
884.0159/2

The Honorable

The Secretary of State,

Washington.

Sir:

860.0159/3
884.0159/ +1

In further reference to the Department's instruction No. 402 of March 3, 1926, and to the Embassy's subsequent despatches, regarding the national anthem of Abyssinia, I have the honor to enclose a copy, in triplicate, of a note which I have just received from the Foreign Office in this regard.

I have the honor to be, Sir,

Your obedient servant,

For the Ambassador:

F. A. Sterling
Counselor of Embassy.

Enclosure:

Copy of Foreign Office note
No. L 4085/415/405, July 4, 1927.

FILED
JUL 27 1927

No.L 4068/416/405.

His Majesty's Principal Secretary of State for Foreign Affairs presents his compliments to the United States Chargé d'Affaires and, with reference to his Note No.L 1628/416/405 of March 24th last, addressed to Mr. Houghton, has the honour to inform Mr. Sterling that His Majesty's Minister at Addis Ababa has intimated that no words have yet been made for the Abyssinian national anthem.

FOREIGN OFFICE, S.W.1.

4th July, 1927.

In reply refer to
FA: 884.0159/2.

July 26, 1927.

2/5/10 1484

The Secretary of State presents his compliments to the Honorable the Secretary of the Navy and referring to previous correspondence regarding the desire of the Navy Department to obtain information relating to the national anthems of the various foreign countries, has the honor to enclose a copy of a despatch from the American Ambassador at London and a copy of a note received by him from the British Foreign Office. It will be observed that the British Minister at Addis Ababa has intimated that no words have yet been composed for the Abyssinian national anthem.

Enclosures:
From Great Britain, No.2000, July 6, 1927, with enclosure.

FA:LEG:HLP:SS July 26, 1927

CR

H.C.H.

July 26,1927.

In reply refer to
FA:884.0159/2.

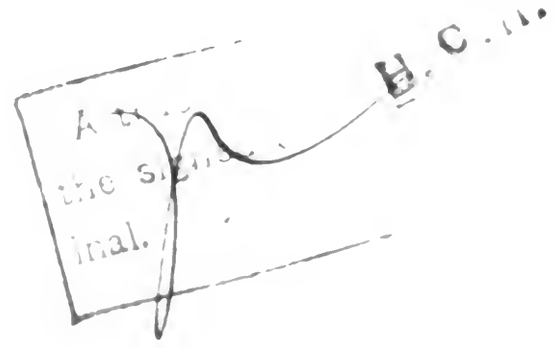
2/6510 884.0159/2

The Secretary of State presents his compliments to the Honorable the Acting Secretary of War and referring to previous correspondence, has the honor to enclose for the information of the Director of the United States Army Band a copy of a despatch from the American Ambassador at London and a copy of a note received by him from the British Foreign Office. It will be observed that the British Minister at Addis Ababa has intimated that no words have yet been composed for the Abyssinian national anthem.

Enclosures:
From Great Britain,
No. 2000, July 6,
1927, with enclosures.

July 26,1927

FA:LEG:HLP:VHR:SS



DOCUMENT FILE

NOTE

7111

SEE 884.01 A/3 FOR #107

FROM Abyssinia (Southard) DATED Dec.10,1928

TO

NAME

1—1127

INDEX BUREAU
1/20.1988

REGARDING: insistence by King of Ethiopia upon the engagement of American advisers for the Ministries of Foreign Affairs, Interior and Commerce, as well as American military instructors. Statement of qualifications. Recommendations for notification of potential applicants.

Wh

Addis Ababa,
Ethiopia.

December 10th, 1928.

No. 107.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to my Diplomatic Despatch No. 94 of November 5th, 1928, on the subject of American advisers for Ethiopia.

Since that despatch was written His Majesty, the King, has several times discussed with me the general question of advisers. Notwithstanding my efforts tactfully to evade the issue he has come to the point where he insists that I help him to obtain certain advisers from the United States.

His

His Majesty now insists that he wants one American adviser for the Ministry of Foreign Affairs, one for the Ministry of the Interior, and one for the Ministry of Commerce. His wish for American military instructors has already been transmitted to the Department in the last paragraph of my Diplomatic Despatch No. 63 of September 15th, 1928.

The terms offered by His Majesty for the three advisers indicated in the first sentence of the paragraph above are a salary of one thousand (MT$1,000) Ethiopian thalers per month, plus transportation to Addis Abeba and return transportation to the United States at the end of the three year contract intended. I have pointed out to His Majesty that such rate of compensation will not attract the best equipped American advisers but he counters that such is the stipend of his cabinet ministers and that he could hardly pay more to their advisers. I did not mention it to His Majesty but I may remark here that the cabinet ministers in question are said to follow the time honored custom in Ethiopia of augmenting their official rate of pay by various perquisites which in total considerably exceed the latter. The Ethiopian thaler varies in exchange value usually between 47 and 51 U. S. cents.

In my Despatch No. 94 of November 8th, 1928, I have given my opinion as to the handicaps to American advisers in Ethiopia. In view, however, of the present

state

state of mind of King Tafari I must express the further opinion that our present good relations with him may suffer unless some effort is made to meet his wishes in the matter of American advisers. Accordingly I respectfully suggest that the Department bring his desires to the attention of potential applicants who could negotiate directly with the Ethiopian Government.

I am aware, of course, that men of established experience would likely not be attracted by the rate of compensation proposed. The best that His Majesty could hope for would appear to be applications from young men with at least educational training for the work proposed who were desirous of experience leading perhaps to later and more substantial appointments in foreign advisorships.

Of all the appointments proposed I would consider that one of adviser to the Ministry of Commerce as of greatest potential value to American interests. That Ministry has practically no organization at present and the adviser taking up the work would have the privilege of building literally from the ground up. His first and most important task would be the establishing of statistical services. Next in importance would be the regulation of the customs which are not now honestly or systematically administered. The country is ripe for a really great commercial development and the adviser concerned

concerned could appropriately establish and encourage unlimited opportunities for American trade. I may perhaps, with due modesty, claim some responsibility for the present ambition of His Majesty to develop a well organized Ministry of Commerce. I mention this mainly to explain why I am much interested in the matter. My interest, needless to say, is kept within appropriate limits and is entirely motivated by a desire to develop American trade here.

In addition to the obvious qualifications for a man applying for the above job, if an applicant can be found, is either actual or potential ability to read and speak French for ordinary purposes. He should have much patience and be of pioneering disposition. It goes without saying that he should have no fixed racial prejudices as to the differences which some people establish in comparing men with white, brown and black skins, respectively. An unmarried man would, of course, be preferred for various reasons which need not be gone into.

Applicants for adviserships in the Ministries of Foreign Affairs and Interior, which I consider somewhat less important in the advancement of American interests than that for the Ministry of Commerce, should have similar qualifications. For the Ministry of the Interior probably the first duty of the

adviser

adviser would be in the development of schools. Forests and Mines would perhaps come next. Certain of the embryo hospital and medical work for the country comes under the Ministry of the Interior. There are no other functions but as the work of neither this Ministry nor of any other in the Ethiopian Government is clearly defined there is no more to be recorded just now.

The present organization of all the Ethiopian Ministries is more or less vague and nebulous. The initial duties of any adviser would be organization and delimitation of the duties and obligations of his Ministry, installation of office systems and equipment, and training of staff.

An adviser for the Ministry of Foreign Affairs would conceivably encounter difficulties arising from the jealousies of the various foreign governments represented in Ethiopia. He could do some excellent work, but would not at this time be of any outstanding assistance in the furtherance of American interests. Just now this Legation has unusually close relations with the Ministry of Foreign Affairs owing mainly to the writer's friendship with the present Minister which runs over a period of nearly a dozen years.

Ambitious young Americans would find any one or all three of these advisorships interesting and instructive within the limitations suggested in my

Diplomatic

Diplomatic Despatch No. 94. The salaries offered would just about suffice for a single man to live appropriately. The chances are that he would have some margin after paying the cost of comfortable living. Much would depend on his inclinations. A married man could also live on the salary offered but he would have to be very careful and could expect no margin for savings. Accordingly it should be said that the appointments would afford no financial advantage unless the adviser by his influence on the job could succeed in having his stipend increased. The main attractions of these appointments as they appear to me would be; first, the valuable experience; second, the novelty and interest of helping modernize a very ancient government; third, the patriotic satisfaction involved in the opportunity for advancing American economic interests in particular; and, fourth, life in a very good climate with many available out-of-doors diversions at moderate cost which in most parts of the world could be afforded only by men of wealth. The disadvantages found, and there would be at least a few in any instance, would depend partly upon the man. Living and working in Ethiopia can be attractive to the man, or woman, of pioneering inclination and capacity. Without such inclination or capacity the individual concerned could be much dissatisfied.

It

It may be remarked that adviserships of the sort contemplated would develop less difficulties than the financial adviserships in which Americans have participated in various parts of the world. These Ethiopian adviserships involve mainly organization abilities and activities which would not directly touch the Ethiopian notables in such tender places as their financial affairs. His Majesty, the King, has not yet considered financial advisers and will probably not do so in the near future as he at present has more or less direct and personal control of official income and expenditure — a system which advisers would perhaps insist upon changing.

In summary I cannot unreservedly recommend the appointment of American advisers here. They might be very successful, and again they might not be. I do, however, believe that some effort should be made to meet His Majesty's somewhat insistent demands in the premises with a start, perhaps, at bringing about at least applications for the Ministry of Commerce appointment. The other two Ministries might also be successfully served, but Commerce would seem of first importance strictly in the promotion of American interests. This Legation as at present constituted would be able to lend more than average assistance and encouragement to American advisers in Addis Ababa without involving itself officially or in other inappropriate

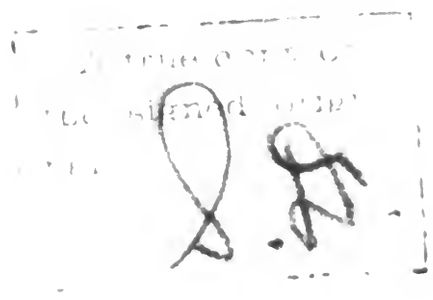
appropriate ways.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

File No. 801.A
AES/sid.



DOCUMENT FILE

NOTE

884.02

SEE 884.404/26 FOR #299

FROM Ethiopia (Southard) DATED Dec.5, 1929
TO NAME

1—1127 ...

INDEX BUREAU
884.02/5

REGARDING:

Numerous Government positions held by Ethiopian graduates of French Roman Catholic mission schools.

W1

DOCUMENT FILE

NOTE

SEE 884.05/1 FOR #134

FROM Abyssinia (Southard) DATED Feb. 8,1929
TO NAME 1—1127

884.04 1/1

REGARDING: Ethiopian Court jurisdiction over Foreigners.
Discussion of "Jurisdiction regarding foreigners in Ethiopia" prepared by a British lawyer. Comments upon statements concerning Consular Courts, extraterritoriality, Swiss advocate appointed by the King to reform judicial procedure, disprders which prevail in the Special Court at Addis Ababa, and proposal by King Tafari to reform the Special Court.

leb

Addis Ababa,
Ethiopia.

February 6th, 1929.

No. 134.

The Honourable

The Secretary of State,

Washington.

Sir:

I have the honour to refer to my Diplomatic Despatch No. 133 of February 4th, forwarding copies of decrees covering the registration in Ethiopia of commercial firms and referring in more or less general terms to the subject of court jurisdiction over foreigners in the country.

As indicated in the above mentioned despatch there has now been made available to me a discussion on the subject of "Jurisdiction Regarding Foreigners in Ethiopia" prepared by a British subject who is the leading

leading lawyer in Addis Ababa. Copies of the discussion are enclosed for the information and files of the Department.

Among the points made in the document attached are that the law is unwritten and that no written opinions are available. The law is, in effect, the practice of "custom". In the second paragraph of page two there is interesting comment on what constitutes murder. On page four is quoted Article 7 of the Franco-Ethiopian or "Klobukowsky" treaty from which has developed the present system of Consular Courts in Ethiopia. The last paragraph on page four states that the system of foreign Consular Courts has "been absolutely acquiesced in by the Ethiopian authorities". This statement does not meet my own findings that the Ethiopian Government objects to the indicated Consular jurisdiction. The incident cited to support the statement quoted is sufficiently accurate but arose out of what I would assume to be the ignorance and irritation of the Ethiopian magistrate. His attitude cannot be taken as representing that of the government. The Ethiopian Government realizes that a form of extraterritoriality is practiced, but I am yet unable to find definitely that such has ever been formally acknowledged or consented to from an authoritative Ethiopian official source.

Beginning on page five of the enclosure herewith the author presents a brief but informative discussion

of

of the laws applied in the various Consular Courts functioning here. In the paragraph beginning at the bottom of page nine is the discussion of the Greek Consular Court presided over by an Honorary Greek Consul General who is a medical practitioner!! This is most interesting. It happens that the Greek gentleman in question is the personal physician (without diploma his rivals say) of both the Empress and King and allegedly their man Friday in the carrying out of projects which because of their character are better kept concealed.

On page eleven various interesting points are raised in connection with His Majesty's court of law.

In the last paragraph on page twelve reference is made to the Swiss advocate appointed by the King in response to pressure from the local Legations to reform Ethiopian judicial procedure where it came into contact with foreigners. As the author states, this so-called legal adviser doesn't make much impression. He is a timid little man whose only purpose in life appears to be to please the Ethiopians and thus procure a renewal of his present three-year contract after which he says he will have saved enough to retire in comfort to his home in Switzerland. He apparently is not interested in Ethiopian judicial reform and is doubtless insufficiently equipped to accomplish much even if he were interested.

It

Addis Ababa,
Ethiopia.

February 6th, 1929.

No. 154.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to my Diplomatic Despatch No. 153 of February 4th, forwarding copies of decrees covering the registration in Ethiopia of commercial firms and referring in more or less general terms to the subject of court jurisdiction over foreigners in the country.

An indication in the above mentioned despatch there has now been made available to me a discussion on the subject of "Jurisdiction Regarding Foreigners in Ethiopia" prepared by a British subject who in the leading

leading lawyer in Addis Ababa. Copies of the discussion are enclosed for the information and files of the Department.

Among the points made in the document attached are that the law is unwritten and that no written opinions are available. The law is, in effect, the practice of "custom". In the second paragraph of page two there is interesting comment on what constitutes murder. On page four is quoted Article 7 of the Franco-Ethiopian or "Klobukowsky" treaty from which has developed the present system of Consular Courts in Ethiopia. The last paragraph on page four states that the system of foreign Consular Courts has "been absolutely acquiesced in by the Ethiopian authorities". This statement does not meet my own findings that the Ethiopian Government objects to the indicated Consular jurisdiction. The incident cited to support the statement quoted is sufficiently accurate but arose out of what I would assume to be the ignorance and irritation of the Ethiopian magistrate. His attitude cannot be taken as representing that of the government. The Ethiopian Government realizes that a form of extraterritoriality is practiced, but I am yet unable to find definitely that such has ever been formally acknowledged or consented to from an authoritative Ethiopian official source.

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It

It is said that the main qualification which brought about his employment by the Ethiopian Government was his willingness to work for a comparatively small salary — stated to be the equivalent of US$4700 per annum.

The references on page fourteen to the disorders which prevail in the Ethiopian Special Court of Addis Ababa will be found entertaining and interesting. I can support the description from firsthand and personal observation. A contrast in the local method of conducting court is found in the description on page fifteen of His Majesty's sittings. The third paragraph beginning on this same page indicates further potential obstacles in the way of the obtaining of absolute justice in Ethiopia.

The Diplomatic Corps has now before it a proposal of King Tafari to reform this Special Court by the appointment of a European judge. His proposal, upon which the Corps has not yet taken formal action, appears to have as a principal aim the elimination of the Consular Court and of the Consul's present participation in the Special Court proceedings. This new project will be submitted to the Department within a few weeks.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

1 Enclosure.

A true copy of the signed original.

File 804.4
AES/sld.

Enclosure to Diplomatic Despatch No. 134 of February 8th, 1921, from Addison E. Southard, Minister and Consul General at Addis Ababa, Ethiopia, on the subject of JURISDICTION REGARDING FOREIGNERS IN ETHIOPIA.

JURISDICTION REGARDING FOREIGNERS IN ETHIOPIA.

Since the first opening up of negotiations between European Powers and Ethiopia, attempts have from time to time been made to exempt foreigners from the jurisdiction of the Ethiopian courts, for the reason that the Abyssinian Law and Procedure was found to be, as it still is, absolutely unsuitable to the needs of foreigners.

An investigation of the Abyssinian system of law and procedure is beyond the scope of the present article, and I express no opinion as to its suitability or otherwise for the regulation of matters between Abyssinians; but it may not be out of place here to allude to one or two of its salient features, in order to show how absolutely at variance it is with accepted European ideas.

In the first place, the law being unwritten, it is very difficult to ascertain. By unwritten, I mean plainly unwritten, and not merely uncodified. It is true that an ancient law book, the Fata Negust, exists, but it is little referred to in practice, being written in the dead language Geez, which is known only to a limited number of priests. This work, which is said to be a translation of the Arabic work of Ibn el Assal, concerns itself largely with Ecclesiastical and Criminal Law, only a limited portion of Civil Law being covered, and Commercial Law being hardly referred to. It shows strong traces of the Mosaic Law, and possibly traces of the Code of Justinian. It is true that it has been translated into the current language Amharic, and an Italian translation also exists, but these translations are not widely diffused, and it may be said that apart from Ecclesiastical matters, this work is only referred to in capital cases.

Of recent years, proclamations (acoundjes) have from time to time been issued; these however refer for the most part to limited districts — mainly only the capital — and are chiefly of the nature of police or sanitary regulations. The proceedings in the higher courts are for the most part

carefully

carefully recorded; the records however are not indexed, and are not available for the use of the public, and hence cannot be regarded in the light of case law.

The law then may in practice be regarded merely as customary law, and like customary law in other parts of the world, it varies greatly from district to district, and is in many cases very hard to ascertain even by Abyssinians, let alone by foreigners.

To give one instance of the great divergence between the Abyssinian Law, and the law of any modern nation, it may be mentioned that in theory there is no distinction between the accidental and the intentional killing of a man. The sole question is: Did X kill Y? The motive is quite immaterial, and the killing must be paid for by the blood of the killer, or if the relatives of the deceased agree, by the payment of blood money. It is true that under the reign of the Emperor Menelik, and of the present enlightened Regent His Highness Ras Tafferi, legal fiction has begun to make inroads on the law; but the law still remains, and the foreigner who accidentally runs over a man in his car, might fare badly, if subject to the jurisdiction of the ordinary courts.

Turning to the question of procedure, the rules of pleading would appear to be much more widely known (amongst Abyssinians) than the rules of substantive law. The court of first instance is however in the street. Time would appear to be no object either as regards the actual hearing of the case, or as regards the question of adjournments. The population being, at any rate as regards the lower classes, a moving one, living in houses rented frequently from day to day, the defendant is often chained to the plaintiff, in order that the latter may know where he is. Then too the judgment debtor, if he cannot pay, is handed over to his creditor, who, failing a guarantor, either chains him to his person, or chains him up in his house.

From this very brief note, one can understand the reason for the constant attempts that have been made by the Legations in Ethiopia, to exempt their subjects from the jurisdiction of the ordinary courts.

In the past several Treaties existed mentioning this question of jurisdiction, but it is unnecessary to refer to them in detail, as they have little interest for the lawyer, as it would appear that their

provisions

provisions, if worked at all, were worked through the diplomatic rather than through the judicial channel. The British Treaty of 1849 may be taken as a specimen. This Treaty provided that a British subject accused of a criminal offence was subject to the jurisdiction of his Consul; and further gave to the Consul jurisdiction in civil cases between his subjects, and between his subjects and other non-Abyssinians. This Treaty is no longer in force.

But until the signature of the French Treaty of 1908, it would appear that no Consular Courts were formally established in the country. It seems however that in practice, the various Consuls did decide cases between their subjects, and even by foreigners, non-Abyssinians against their subjects; but as far as I have been able to ascertain, the role of the Consul was rather that of arbitrator, agreed to by the parties in order to avoid the jurisdiction of the Abyssinian Courts, than that of Judge. It must be borne in mind that at this time the number of foreigners in the country was very limited, and probably for this reason such a system worked, without the inconveniences which one might anticipate.

As regards cases between Abyssinians and non-Abyssinians, even after the Treaty of 1908 right up to 1922, the procedure cannot really be termed judicial. Prior to 1908 mixed cases would appear to have been settled actually by diplomatic negotiation; later the practice grew up either as a matter of convenience, or as a purported fulfillment of the provisions of the Treaty, for a meeting to take place in a small room over the post office, between a representative of the Ethiopian Government, and of the Legation whose subject was concerned. At these meetings the parties were often not even present, having previously explained their case to the representative of their Government. The two representatives, really as advocates for the parties, discussed the question together, and endeavoured to reach a solution. If they were unsuccessful, the matter was referred more or less privately (at any rate there was no formal hearing of the case) to the sovereign, who gave the final decision. The result of this system is seen up to the present day, as the Abyssinian judge of the Special Court (set up in 1922) usually considers himself the advocate of the Abyssinian suitor, and hence the representative of the Legation is forced in the interests of his subject to take up a similar position.

Turning from the somewhat obscure question of history, I pass to a consideration of the present legal position.

 Enclosure.

At the moment there are established in Addis Ababa some eight Consular Courts. The first formal Consular Court to be established was that of France, following on Article 7 of Le Traité d'Amitié et de Commerce signed at Addis Ababa on the 10th January 1908, between France and Ethiopia (commonly known as the Treaty of Klobukowsky). At present no country other than France has any Treaty in force with Ethiopia, dealing expressly with the question of jurisdiction; and hence the jurisdiction of the other Consular Courts, and the special jurisdiction relative to disputes between Abyssinians, and the subjects of Powers other than France, is derived either from these Powers having most favoured nation clauses in the Treaties which they may have with Ethiopia, or from the fact that the custom has grown up of all Legations in Ethiopia exercising with regard to their subjects powers similar to those granted to France by the Treaty.

Article 7 of the Treaty of 1908 is as follows:-

"Toutes les affaires de quelque nature qu'elles soient, criminelles ou autres, entre les ressortissants ou protégés français, relèveront désormais de la juridiction française, jusqu'à ce que la législation de l'Empire d'Ethiopia soit en concordance avec les législations d'Europe. - Toutes les affaires de quelque nature qu'elles soient, criminelles ou autres, entre les ressortissants et les protégés français et les sujets de l'Empereur, seront portées devant un magistrat abyssin siégeant dans un local spécial et qui jugera, assisté du Consul de France ou de son délégué. - Si le sujet abyssin est défendeur, il sera jugé suivant la loi éthiopienne. - Si le ressortissant ou protégé français est défendeur, il sera jugé suivant la loi française. - En cas de désaccord entre les juges, il sera statué en dernier ressort par le tribunal de Sa Majesté le roi des rois d'Ethiopia. - En cas de crimes ou délits commis, par les ressortissants ou protégés français, l'autorité territoriale usera de son droit de police pour la recherche et l'arrestation des coupables, à charge par elle d'en informer immédiatement le Consul de France et de les remettre entre ses mains."

Apart from the extension mentioned above with regard to foreigners other than French, this article has received in practice another important extension. In the case of disputes between foreigners (i.e. non-Abyssinians) of different nationalities, it has become customary for the Consular Court of the defendant to assume jurisdiction. That this has been absolutely acquiesced in by the Ethiopian authorities, is shown by the fact that in several cases I have heard the magistrat abyssin above referred to declare himself

incompetent

incompetent to judge a case between two foreigners of different nationalities, both being subjects or protegés of Legations in Ethiopia.

Before passing to the consideration of the jurisdiction as regards disputes between Abyssinians and foreigners, a word may be said on the subject of the Consular Courts. These courts in principle follow the law and procedure of their proper countries, but an examination of the constitutions of the several courts shows that there is great variance in the degree of strictness with which the law concerned is applied.

France.

Following on the Treaty of 1908, Consular jurisdiction was set up in Ethiopia by the law of 16th November 1909, by the single article of which it is provided:-

"Les dispositions des lois et règlements concernant la jurisdiction des Consuls de France dans les Echelles du Levant et dans les Etats barbaresques, notamment celles de l'édit de 1778, pour la jurisdiction civile, et de la loi du 28 mai 1836, en matière correctionelle et criminelle, sont applicables aux Consuls de France en Ethiopia. Les consuls connaitront, conformément à ces dispositions, de toutes les affaires entre les ressortissants ou protégés français. Les affaires, de quelque nature qu'elles soient, entre les ressortissants et protégés français et les sujets abyssins, seront réglées conformement aux dispositions de l'article 7, alinéas 3 à 6, du traité du 10 janvier 1908."

The edict of 1778 and the law of 1836 applying to the Echelles du Levant are well known, and a detailed discussion of them here is therefore unnecessary. For present purposes it is sufficient to say that subject to the modifications contained in these two laws, the law applied in the Consular Court is the ordinary law of France; an appeal lying to the Court of Appeal at Aix en Provence. The Consul sits with two assessors, who, with him form the court.

Thus one sees that the law and procedure of this court are very clearly fixed. The court is in all cases bound to apply the French law. As will be seen from a comparison with some of the other Consular Courts, the Court has far less discretion than the Courts of some of the other nations. This rigidity,

whatever

whatever its advantages, has at least two disadvantages. The French law and procedure is somewhat cumbrous for a court which does not have the proper machinery for its working, which exists in France; and secondly in the case of French natives of a civilisation below the European standard, the European law is not, it is submitted, always the most suitable.

Great Britain.

This court was constituted by the Abyssinia Order in Council 1913, and is regulated by the Rules of Court made under this order, No. 1 of 1916, amended by No. 1 of 1922, and Nos. 1 and 2 of 1930. In general the law and procedure is that of British India, and not that of England, and this Indian law is applied to all British subjects, irrespective of what part of the Empire they come from; the only exception being in the case of questions of marriage, inheritance, or involving religious law or custom, the personal law of the individual is followed. As regards commercial and criminal matters, the Indian law broadly speaking resembles the law of England, the main difference for practical purposes being that greater portions of it have been codified than of the law of England.

Article 21 of the Order in Council however reads as follows: "No proceedings under this order shall be invalidated by any informality, mistake, or omission, so long as, in the opinion of any court before which any question arises, the essential requisites of law and justice have been complied with." And Article 22 gives a wide discretion to the court to apply the law "so far only as the constitution and jurisdiction of the courts acting under this order, and the local circumstances permit."

These articles give a wide latitude to the court, and have been found in practice to work well, the decision of cases being far more rapid in this court, than in most of the other Consular Courts. The British Court is unique, in that appeal lies from the Consul to the Minister in his capacity of Consul-General, and not to the courts of the home country. It is true that there is a further appeal to the supreme court of the Empire, the Privy Council, but this may be neglected in practice, being only practicable in very large cases. A suggestion has been made of making the British Consular Courts subject to the Court of Appeal, Bombay — this might have the advantage in a few cases of correcting an erroneous decision,

since

since the court of the Consul-General is not of great value, the Consul-General often having less experience than his Consul of legal matters; but this advantage would be, in my opinion, greatly outweighed by the disadvantage of protracting litigation, and thus taking from the court its present leading merit. In the opinion of many people having practical experience of the working of Consular Courts in Ethiopia, the appeal out of the country, which exists in the case of all the other Consular Courts, is a distinct disadvantage, and tends to drag out unduly the administration of justice.

It may further be noted that by articles 124-130 of the Order in Council, not only subjects of other foreign powers, but also Abyssinians, are expressly empowered to sue in the court. As regards Abyssinians, this right is occasionally exercised, but I understand that in at least one case involving a large amount, the Abyssinian intending plaintiff was prevented by his Government from suing in the British Court, and was compelled to bring his action in the special Court.

The Consul usually sits alone, but in some cases must sit with two assessors. These assessors however can only give their opinion on the case, which opinion is not binding on the Consul, who alone gives judgment.

Italy.

The jurisdiction of this court appears to depend solely on custom, even as regards the home country, as I can trace no law expressly setting up a Consular Court in Ethiopia. No one Code of Law is applied in this court. The court in judging a case applies the law of the country from which its subject comes. Such a system would I venture to submit be unworkable, but for the fact that in practice its results are mainly seen in quarrels between natives — mostly Somalis, whether Italian, French or British subjects. As the Italian subjects who are traders are for the most part from Italy, commercial cases are usually decided by the law of Italy. In dealing however with native cases, this system has distinct advantages, for even in criminal matters the Court is able to apply the Code of Law, which has by the home Government been deemed most suitable for the individual concerned. In this connection I recall a case in the British Court, in which such a system would have been found most convenient. One British Somali murdered another. The law of British Somaliland contrary to the Indian Penal Code (and in fact to the laws of most of the British Empire) recognises blood money, which the murderer was willing to pay. The court however had no discretion in the matter, but had to sentence the accused to death, in con-

formity

formality with the Indian Law.

The Consul usually sits with two assessors, who with him form the court. Appeals lie to the appellate court of the country from which the subject comes. In the case of an Italian, the appeal is to Genoa. In the case of a colonial, it is to the court of the colony, and then following the colonial law, to the appropriate court in Italy. Thus the colonial subject apparently has one more appeal than the inhabitant of Italy.

Germany.

This court was established in 1908 by Imperial decree, applying the general Consular Law of 7th April 1900. The court is a court of the "Reich", and appeal lies to the Reichsgericht in Germany. The Consul sitting alone is competent to deal with all matters which are dealt with in Germany by the Courts of first instance (Amtsgerichte), and also with certain non-contentious matters. With two assessors, he is competent to deal with such matters as are dealt with in Germany by the courts of the districts (Landgerichte), and also with criminal cases, certain serious crimes being reserved for the courts in Germany. The law and procedure applied is that of the Reich in Germany, and certain Prussian laws.

Belgium.

This court has been established for some years, but rarely sits. Belgian law and procedure is followed, an appeal lying to Belgium.

United States of America.

The Legation of the United States has only recently been opened. The Consular Court has not as yet functioned. The law applied is, I understand, the Federal Law.

Turkey.

This Court was opened in 1926, but is at present closed, I understand temporarily. Owing to the legal reforms in Turkey, it was not very certain what system of law was applicable to the court, which in fact rarely sat.

Greece

Has an honorary Consul-General in Ethiopia, who is a local medical practitioner. A Consular Court

is

is established, in which the Honorary Consul-General sits, usually without assessors. The law and procedure applied is in the main that of Greece, with an appeal to Athens. This court is the only Consular Court in Ethiopia held by a Consul not of the carrière. As the Greek community is one of the most numerous in Ethiopia, the inconveniences of a court presided over by a part time Consul are great. It is submitted that the establishment of Consular Courts presided over by an Honorary Consul, with his own private interests to attend to, militates against rather than aids the interests of the foreign community generally.

I pass now to the consideration of cases between foreigners and Abyssinians. The history of this matter has already been glanced at, and I commence therefore with the year 1922. In this year the Ethiopian Government decided to establish a recognised court, sitting at a fixed place, to deal with cases between Abyssinians and foreigners. The name given to the Court was the Special Court (Tribunal Spécial), the title of Mixed Court being carefully eschewed by the Government, who did not wish it thought that there was any analogy between this Court and the Mixed Courts of Egypt.

This court was provided with a President and a Puisne Judge, and with a totally untrained staff of interpreters, clerks, etc. For the convenience of the despatch of business, different days were allotted for the consideration of the cases affecting the different Legations. Italy was allotted Monday, Great Britain (which has a very numerous colony of Indians and Arabs) Tuesday and Friday, France Wednesday, Greece Thursday, and the other Legations Saturday. On each of these days the Consul concerned, or his representative, sits with the Abyssinian judges to form the court. It may also be mentioned that any foreigner not protected by one of the Legations in Ethiopia, is treated by the Ethiopian Government as an Abyssinian protégé. Any case affecting him and an Abyssinian is however dealt with by the judge of the Special Court sitting alone, and not by the ordinary courts of the country. If he and a foreigner, dependant on a Legation are affected, the case comes before the Special Court composed of the Abyssinian Judge and the Consul, as if he were an Abyssinian.

The difficulties arising from the Treaty may be divided into two classes, namely those arising from its interpretation, and those (more serious) arising from its very nature.

Taking

Taking the first clause, the Treaty says: "Toutes les affaires ..... seront portées devant un magistrat abyssin ..... qui jugera assisté du Consul de France ..... En cas de désaccord entre les juges, il sera statué en dernier ressort par le tribunal de Sa Majesté le roi des rois d'Ethiopie." According to the former Abyssinian contention, the function of the Consul was only to be present at the hearing, and he had no right to take part in the proceedings, or to agree or disagree with the judgment. Much fused with the phrase, "En cas de désaccord entre les juges" which showed clearly that the Consul was a judge, the Ethiopian Government replied that "les juges" meant the Abyssinian President and Italian Judge. To this reply was made that the Treaty said "un magistrat abyssin", and not two; and many Consuls refused to sit if both the Abyssinian Judges were present. This point may I think be now regarded as settled definitely in favour of the contention of the Legations, that one Abyssinian Judge and the Consul form the court.

As regards the further consideration of the case in the event of the Abyssinian Judge and the Consul not being in agreement, three points arise. In purely Abyssinian cases the highest court of the Empire is the Grand Chillot, presided over by the sovereign in person (at the moment by His Highness Ras Taffari as Regent for the Empress). This court is not only an open court; in it any member of the public, and still more any person of importance, has the right to express his opinions of the important chiefs and judges, and last of all of the sovereign, who gives the final word. It is therefore apparent that cases in Ethiopia are judged in the presence of the assembled people, and from the several expressed opinions, a good idea can be gathered of the law to be applied, which as has already been said is mainly custom. Whatever his legal rights, the sovereign in such a court, would experience difficulty in deciding a case entirely against expressed public opinion. Such a system therefore, whatever its demerits, has the advantage of acting as a check on arbitrary action. When His Highness, after the Constitution of the Special Court in 1922, commenced to sit formally to decide cases affecting foreigners, he sat sometimes more or less privately, and not in his Grand Chillot. It was then considered by some people that the words "par le tribunal de Sa Majesté" referred clearly to the Grand Chillot, as this was the only sovereign court, which existed. An examination of the Amharic

text

text of the Treaty showed however that therein the word "tribunal" was omitted. The point has never been formally raised; however at the present time a via media has been followed. His Highness sits with certain chiefs and important persons, who can express their opinion on the case, but without the native public. The court is however open in the sense that any person particularly wishing to do so can attend.

Passing to the second point of interpretation, according to the view of most of the Legations, the proceedings before His Highness are not an appeal. If the Abyssinian Judge and the Consul cannot agree, there is no judgment, and the case goes before His Highness for argument and decision. This view is strengthened by the fact that in the Special Court no judgment is read out in open court. The Abyssinian Judge does in fact write a judgment, which he sends to the Consul, who returns it marked "Agreed" or "Disagreed", with his further remarks if he thinks fit. His Highness however takes strictly the view that the proceedings are an appeal; that the opinion of the Abyssinian Judge is a judgment, and that the disagreement of the Consul merely opens the road for his subject to appeal. All cases before His Highness are therefore argued as an appeal from the judgment of the Abyssinian Judge. As stated above, many Legations do not accept this point of view, but so far as I am aware the matter has not been pressed diplomatically. It may be added however, that as the strict differences in pleading which exist in Europe between appeals, and cases de novo, do not exist in Ethiopia, the point is more of theoretical than of practical importance from the point of view of the litigant.

The last point of interpretation goes to the very root of the Treaty. After the words "assisté du Consul de France ou de son délégué", it is laid down:"Si le sujet abyssin est défendeur, il sera jugé suivant la loi éthiopienne. Si le ressortissant ou protégé français est défendeur, il sera jugé suivant la loi française." Then follow the provisions for the "cas de désaccord entre les juges." From this it is clear that in the Special Court, the law to be applied is the law of the defendant. What law however is to be followed in the proceedings before His Highness? Logically, whether the proceedings before His Highness are a hearing de novo, and still more if they are an appeal from the Special Court, the law to be applied should also be the law of the defendant. This is the point of view of the Legations. His Highness however does not seem to adopt this point of view,

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and although as far as I am aware he has never formally stated that he is not bound to follow the law of the defendant, in many decided cases he has certainly made no attempt to do so, but has decided the case presumably according to Ethiopian law, although the defendant was a foreigner. When the foreigner is plaintiff there is no difficulty, as according to the Treaty Ethiopian law is then to be followed. But cases against foreigners are quite as numerous as cases by them; and as in any case of importance itnis rare to find agreement between the Abyssinian Judge and the Consul, it is vital if the Treaty is to be worked at all, that in proceedings before His Highness the law of the defendant should be applied. It is true that His Highness must have considerable difficulty in ascertaining the law of the defendant, even if he were willing to apply it, as will appear from the following remarks.

We come now to the very great difficulties which arise from the very nature of the Treaty. These for the most part come from the provision that the law of the defendant is to be applied.

We have already seen that eight Legations or Consulates exist in Addis Ababa, all of whom are liable to have cases in the Special Court. Even if we eliminate Germany, Belgium, Turkey and the United States, which have a small amount of business, we see that the Judge of the Special Court should be acquainted with the law of British India, France, Italy (and query all its colonies) and Greece, as well of course with the law of Ethiopia —a formidable undertaking for a highly qualified international jurist, and quite impossible for the ordinary Abyssinian, who has no legal training in any foreign law, and has merely a smattering of his own customary law. The Consul it is true also sits in the court as judge — he naturally is a diplomat, and if he has any knowledge of the law of his country, it is usually of a theoretical rather than of a practical nature. Then too, as already mentioned, the idea still persists of the Judge and the Consul being advocates for their respective Parties, and therefore the Judge is by no means ready to accept the Consul's version of his law. In order to facilitate matters, the Ethiopian Covernment has recently appointed a Swiss advocate to attend the court as legal adviser. His functions have never been clearly defined, but it was thought that they might be to advise the Judge on points of foreign law. Possibly he does so advise, but it does not appear that the Judge pays much attention to his advice.

Turning

Turning to the proceedings before His Highness, there is no one present to advise on points of foreign law, as His Highness sits as sole judge, there being no question of the Consul sitting with him. The advice of the legal adviser of the Special Court is not, or should not be available, as he has presumably already given his advice to the Judge of the Special Court. Hence if His Highness were willing to apply the foreign law, it is difficult to see how he is to ascertain it, and no expert witnesses on foreign law are available in Ethiopia. It may be this question of the law of the defendant being applicable, which has lead His Highness to hear foreign cases otherwise than in his Grand Chillot, which court, however suitable for the proper decision of a case according to Ethiopian law, is entirely unsuitable to consider any question of foreign law.

Such are the difficulties which arise in applying the substantive law of the defendant, but these difficulties become even more formidable, when we come to consider the Law of Procedure. What is the procedure to be followed in the Special Court, and in proceedings before His Highness? Is the procedure to change according to the nationality of the defendant, or is it to remain constant, and if so, whatis to be the constant procedure? It is unnecessary to argue the importance of this matter, but one illustration may be given. The British Law regarding the hearing of witnesses is totally different not only from the Ethiopian Law, but also from the law of most European nations. It is in connection with this question of witnesses that I have seen the question of procedure arise most often. So far no definite solution has been reached, but the custom has grown up of following more or less certain rules of procedure remotely based on the French system. These rules have practically no resemblance to the Abyssinian system of procedure, and curiously enough it is rare that the Abyssinian judge even argues that the Abyssinian system should be followed, even though an Abyssinian be the defendant. The reason for this is probably that soon after the constitution of the Special Court, some draft rules of procedure, based on the French system, were made by a French Legal Adviser to the Ethiopian Government. These rules were printed, but were never put into force. In the absence of anything better they have however been followed to a certain extent for reasons of convenience. For some time past there has been some discussion of proper rules of procedure being issued. Such rules, if reasonable, would probably

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be accepted without difficulty by the Legations, as it is obvious to all that the law of the defendant is not workable, at any rate as regards procedure. So far however, no such rules have appeared.

It is probably largely due to this absence of procedure that the greatest disorder prevails in the Special Court, and its working is absolutely unsatisfactory alike to foreigners, and to Abyssinians, who complain bitterly of the introduction of this unsatisfactory "foreign justice"! The court sits in a room entirely inadequate to the number of persons who habitually attend. Hence there is much disorder and discomfort at any rate for Europeans, who often suffer from lack of air. No proper place is provided for taking notes etc. All the spectators talk, more or less loudly, unchecked, except for an occasional feeble protest from the Judge. The parties concerned in a case (or their advocates) stand before the court, and plead. It is rare however that any person can speak for as much as ten minutes, without interruption from some party to another case. If this other case promises to be more interesting than the first, the Judge often proceeds to hear it, leaving the parties to the first case still pleading. A third or fourth case may be commenced in this way, to say nothing of other interruptions such as the signing of orders, reading of letters, or chats between the Judge and any important person who may happen to enter the court. The parties accompanied by their own Amharic interpreter plead in any language they like, but court interpreters exist for anyone who pleads in French. The proceedings are recorded in Amharic in pencil, and are then copied into a book in ink. The recording of these pleadings is so inaccurate, that the experienced pleader repeatedly breaks off his argument, in order to ensure that what he says is being written down, for if he fails to do this, he may well find that the recording clerk, being engaged in some personal conversation, has neglected to write down anything at all. Cases once commenced usually drag on for months or even years, as no attempt is made to call cases in the order of the roll, the idea of the court being apparently to commence as many cases as possible, and then to forget them. Finally after a lengthy interval, the pleadings are declared closed, and the Judge, who usually is not the judge who heard the bulk of, let alone who commenced the case, gives his written judgment to the Consul, based on the written record of the proceedings! For this efficient administration of justice a court fee of 3% on the sum in dispute irrespective of amount is exacted!

Leaving

Leaving the Special Court, it is refreshing to consider the order which prevails in the court of His Highness. His Highness sits at a table at the top of a very large room and any chiefs or judges called by him sit on the floor on each side. The parties stand before him, and plead their case, without interruption except from His Highness. There is no conversation in the court, and no intervention by any other parties, who would be speedily ejected if they dared to interrupt. The proceedings are carefully recorded — but in pencil, being recopied later. His Highness usually reserves judgment.

Orderly as are the proceedings in this court, and although they are an enormous improvement on those of the Special Court, they are open to many objections. In the first place His Highness is the sole judge, and has no one to advise him as to foreign law, even if he were willing to apply it. Then the judicial side of the matter apparently ceases after His Highness has reserved judgment. The litigant has no right to approach His Highness direct to urge him to give judgment, and can only do so, if a foreigner, through his Legation, the matter therefore becoming a more or less diplomatic one. The judgment is often given months after it has been reserved, when the facts are not fresh in the mind of the court. This is probably due to the Abyssinian custom of the judge giving more or less general instructions to an underling to write the judgment, which he does after having put the matter off for as long as possible. Further there is no obligation for judgments to be motived, with the result that important matters raised by the parties are often completely ignored. No application can be made to His Highness to revise his judgment for any reason.

But the most serious objection of all to this system is that His Highness is often officially interested in the cases which comes before him as judge. Like most sovereigns in primitive countries, His Highness takes a very active part in the government of his country; he is in fact his own Minister of Foreign Affairs, and further gives instructions to many other departments on matters which may arise, even concerning comparatively unimportant matters. The Government departments in Ethiopia are somewhat arbitrary in their actions, and hence cases against the Government are not at all uncommon. These, if

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a foreigner is concerned, are pleaded in the Special Court, and come later before His Highness, who may have already dealt with the matter in an executive capacity. With the best will in the world, it is very difficult for any judge to be impartial under such circumstances; and it is therefore most important that when the time comes for reforms, this matter should not be overlooked.

The above sketch gives a slight idea of the methods of dealing with cases affecting foreigners in Addis Ababa, the capital of Ethiopia. A word is necessary concerning cases in the rest of the country. At Harrar and Diré Daoua there are Consuls of certain powers, who protect the interests of their subjects, and often by arrangement the subjects of other powers, not locally represented. These Consuls sit with the Governor of the Province, Dejatch Imaroo, and form a Special Court, the case coming later if necessary to Addis Ababa before His Highness Ras Taffari. This court apparently works well, and an agreement is often reached between the Governor and the Consul. Consuls of various powers exist in other parts of the country, but for the most part they have few subjects in their districts, and do not form formal courts. Very often they manage to arrange disputes with the local chief in the old way; in other cases the matter is sent up to the Special Court at Addis Ababa.

To sum up, in Ethiopia all cases between foreigners dependant on a Legation are dealt with by the Consular Courts. Although it is possible to criticise these courts, especially in some cases as regards over formality of procedure, on the whole they work well, and for the most part administer substantial justice.

But as regards cases between protected foreigners and Abyssinians or non protected foreigners, the matter is far otherwise. The Special Court at Addis Ababa is very unsatisfactory — in fact it can hardly be called a court at all. One cannot help being struck by the difference between this court, and the court of His Highness Ras Taffari on the one hand, and the Special Court of Dejatch Imaroo at Harrar on the other. Probably the difference between the two Special Courts is due to the fact that Dejatch Imaroo is a very big and enlightened chief, with wide experience of native courts, whereas up to the present the Abyssinian Government have usually selected a comparatively unimportant person as Judge of the Special

Court

Court at Addis Ababa. The result has been that such a Judge commands little respect from the Abyssinians, and hence probably the disorder which is the rule rather than the exception in this court.

In fairness however to the Special Court at Addis Ababa, it must be remembered that its volume of business is probably a hundred times greater than that of the court at Harrar. It is this enormous increase in business in recent years, with which the Ethiopian Government has failed to grapple. It is only of recent years that Abyssinians have commenced to engage in commerce, and thus to swell the business of the Court. The number of concessions etc. granted by the Government increases yearly, and this also tends to increase the work of the court. The Ethiopian Government are well aware that the Special Court at Addis Ababa is not satisfactory — one has only to compare it with the ordinary native courts to see this — but they seem to be puzzled as to why the problem has of recent years become acute, although the French Treaty has been in force since 1908.

Still it is essential that the problem be solved. It is not seriously disputed that the ordinary native courts are absolutely unsuitable at the present time to deal with cases affecting foreigners; and it is also obvious that even if an attempt is made to modernise and to codify the Ethiopian Law and Procedure, many years must elapse before the completion of this task. For the time being then the Special Court is a necessity but it is practically useless in its present state. It is essential that it be reformed, and made to work like a court of law. There is nothing in this affecting Ethiopia's sovereign rights; there is nothing involving political questions, which might hinder cordial cooperation on the part of the Legations. It is simply a question of establishing a court to work more or less like a court in any other civilized country. Ethiopia has recently emerged from the seclusion in which she has lived for centuries; she has opened wide her doors to foreigners; she has taken her place in the League of Nations. Surely then it is not too much to ask that she should bring her administration of justice, at any rate as affecting foreigners, more or less into line with that of the other members of the League.

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DOCUMENT FILE

NOTE

SEE 884.5034/1 OK FOR #133

FROM Abyssinia (Southard) DATED Feb.4,1929
TO NAME

1—1127 GPO

INDEX BUREAU

REGARDING: Consular Court procedure governing litigation between foreigners residing in Ethiopia, and the special Ethiopian court for suits between foreigners and Ethiopians.

Wh

884.04/172

Addis Ababa,
Ethiopia.

February 4th, 1929.

No. 138.

The Honorable

the Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith, as Enclosure A, the translation of a decree of the Ethiopian Ministry of Commerce requiring the registration of all commercial firms operating in Ethiopia and providing direct penalties for failure so to register.

This decree was issued last August but was not at the time transmitted to the Department as I have been awaiting developments as to its effect. It has had no effect with foreign firms which have in mind

most instances been advised by their respective Legations or Consulates not to register. The main objection to the decree is that it provides for the direct infliction by the Ethiopian Government of penalities on foreigners.

Foreigners residing in Ethiopia come under a Consular Court procedure in litigation among themselves, the Consul of the defendant having jurisdiction. A foreigner sued by an Ethiopian comes before a special Ethiopian court in which the Consul of the defendant sits along with the Ethiopian judge. These special procedures for foreigners, thus briefly stated, are based mainly upon Article 7 of "Le Traité d'Amitié et de Commerce" signed at Addis Ababa on January 10th, 1908, between France and Ethiopia, and ordinarily known as the Klobukowsky Treaty. The treaty in question is presumably available in the Department's files. Article 7 has been quoted in previous reports from this office as, for instance, in the report entitled "French Concession for Ethiopian Economic Development" of September 21st, 1928.

The decree issued by the Ethiopian Ministry of Commerce provides, in the opinion of my colleagues, for the direct infliction of penalties on foreigners by the Ethiopian Government without Consular or other at present practiced intervention or procedure. They take the attitude that such de-

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partmre from the Klobukowsky Treaty cannot be accepted. The Diplomatic Corps has discussed this question at one of its meetings but has taken no formal action. I have, of course, attended the meetings but have had little to say as this Legation and Consulate General has had no firsthand experience as applied to its own nationals in Ethiopia. No American firms are directly here in business (the Singer Sewing Machine Company operates from Khartoum) and as all the American citizens residing here are missionaries they have not been and are not likely to be parties to litigation. I, therefore, have had little to contribute to my colleagues in the way of discussion.

I am, of course, quite well informed on, and familiar with, the subject of extraterritorial jurisdiction and with Consular Court procedure and practice. During my incumbency of nearly two years at Jerusalem I frequently sat judicially two or three days of each week and heard a wide variety of cases. Also I have had firsthand observation of Consular court functioning in China and Persia. My study of the subject has been serious and fairly extensive.

There are numerous British, French, Italian, German and Greek nationals or protégés here. Most of the local Consular courts function with frequency,

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and the average Consul here spends an appreciable amount of time at the Special Court.

The foreign merchants of Addis Abeba have, through their Chamber of Commerce, drawn up a proposed substitute decree which is transmitted herewith as Enclosure 2. Copies have been sent to the Ethiopian Government and to each of the Legations with a request for supporting action by the Diplomatic Corps. No action has yet been taken or intimated by the latter body. The substitute decree differs from the original one mainly in that it provides for the registration of foreign firms at their respective Consulates and takes out of the hands of the Ethiopian Government the direct penalization for nonregistration. With rare exception every commercial firm in Ethiopia is under foreign protection. Direct registration at the Ministry of Commerce would be practically nil because of the absence of any active commercial enterprise under strictly Ethiopian name or control.

My colleagues are of the opinion that there is an active tendency on the part of the Ethiopian Government, as evidenced by this and other proposed decrees, to drive an entering wedge, so to speak, behind Article 7 of the Klobukowsky Treaty with a view to its eventual denunciation. The whole situation of extraterritorial jurisdiction here impresses

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me as being more or less nebulous. The Ethiopians themselves do not fully understand the situation and its limitations and I have found no one of my colleagues who can present a clear cut exposition of it. That a form of extraterritoriality exists appears definite. The Ethiopians, when the question arises, say that they have never consented to it. But they have so far offered no sustained objection to its operation. The question is coming more and more to the front and it is probable that not much more time will elapse before there results friction of sufficient strength to bring about the opening of formal discussion and negotiations for something to take the place of what amounts at present to a modus vivendi and no more.

Because of the nebulosity of the situation, as already suggested, and because of the absence of strictly American instances, I offer at this time no specific comment as to the tendency suggested in the opening of the paragraph just above. Nor have I a definite basis yet upon which to ask for instructions as to the attitude I should take in meetings with my colleagues. Such instructions will, of course, in due time be requested but I deem it better to wait for something more tangible upon which to base them.

The present report is mainly for the purpose of keeping the Department informed of the trend of events.

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I expect shortly to have available a discussion on the general subject regarding jurisdiction over foreigners in Ethiopia, prepared by the leading foreign attorney in Addis Ababa, of which copies will be prepared for transmission to the Department in connection with the present and future reports.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

2 Enclosures.

File No. 610.23
AES/sid.

A true copy of the signed original.

Enclosure A to Diplomatic Despatch No. 155 of Feb-
[redacted]
Commercial Files in Ethiopia.

TRANSLATION.

DECREE ENFORCING THE REGISTRY OF COMMERCE.

His Excellency the Minister of Commerce, for the purpose of putting into effect the Registry of Commerce established at the Bureau of the Ministry of Commerce:

Decrees

I

That within one month after the publication of this notice all individual merchants and all commercial companies must enter their names in the Registry of Commerce established for that purpose at the Ministry of Commerce.

II

That a primary registration is required of every merchant having a main establishment, a branch house or an agency in Ethiopia.

III

That any changes or modifications having a direct bearing upon the main facts included the registration proper shall be added as modifications or supplementary comment.

IV

That the application for registration shall be made out in duplicate on a form issued by the Bureau of the Registry of Commerce to those concerned.

The declaration shall be signed by the merchant, or, if it concerns a company, by all of its managers or directors.

V

That for each registration the sum of ten thalers (MT$10.00) will be collected. For a commercial company having a capital over MT$

10,000.

10,000, there shall be an additional fee of ONE piaster for each thousand thalers of capital in excess of that amount.

VI

That any infraction of the requirement for entry in the Registry of Commerce shall involve a fine of from MT$20.00 to MT$200.00.

VII

That involuntary inaccuracies will involve no penalty.

That inaccuracies, voluntary or made in bad faith to evade the requirements connected with registration, shall be punished by a fine of from MT$100.00 to MT$2,000.00.

VIII

That the Bureau of the Registry of Commerce holds at the disposal of interested parties the laws and regulations concerning the Registry of Commerce.

Addis Abeba, August 24th, 1926.

MINISTER OF COMMERCE:

Wagadras Makonnon.

Enclosure 1 to Diplomatic Despatch No. 188 of [redacted].

TRANSLATION.

SUBSTITUTE MEASURE FOR THE DECREE CONCERNING THE REGISTRATION OF COMMERCIAL FIRMS.

1. Within one month following the publication of the present Decree, all commercial and industrial institutions, traders and every person engaged in commercial exchange must register themselves in the Commercial Registry established for that purpose at the Ministry of Commerce.

2. The application for registration shall follow the form prescribed and according to the formula to be delivered at the Ministry of Commerce. This request shall be signed by the person or persons competent to do so.

3. The registration fee is fixed at ten thalers (MT$10.00). There shall be no other tax in this connection.

4. All changes in the organization of a commercial company shall be communicated to the Ministry of Commerce for appropriate obtraction of the original registration.

5. Registration shall be compulsory. Foreigners shall make their registrations at their respective consulates. In cases of infraction the Government will take the necessary measures with regard to its own nationals and will refer such cases of infraction on the part of foreigners to the consulates concerned.

DOCUMENT FILE

NOTE

SEE 884.05/3 FOR #179

FROM Abyssinia (Southard) DATED April 10,1929

TO

NAME

1—1127

884.041/3

REGARDING: Preliminary Proposal for Special Tribunal. French and English texts of the - drawn up by Diplomatic Corps, which governs jurisdiction of Ethiopian courts over foreigners.

leb

Addis Ababa,
Ethiopia.

April 10th, 1930.

No. 179.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's Despatches Nos. 153 and 154 of February 4th and 6th, 1930, respectively, on the subject of court jurisdiction governing foreigners in Ethiopia.

The enclosure with Despatch No. 154 gives as good and accurate account or picture of present procedure and facilities as appears available. The present Special Tribunal or Court, provided for cases to which foreigners are party, has not worked satisfactorily. It is headed by an Ethiopian and there appears to be no available Ethiopian with a sufficient knowledge and appreciation

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tion of Occidental Law, and particularly of Occidental court procedure and integrity, to enable him to conduct the court in a manner even reasonably satisfactory. Custom, personal opinion, and prejudice rather than law inspire decisions. Ethiopian court officers appear quite unable to keep satisfactory records of such cases and to execute judgments with any reasonable degree of promptitude or efficiency. A change is mandatory, particularly for the foreign business interests which are growing in Ethiopia.

The Dean of the Diplomatic Corps about a year ago on behalf of his colleagues took this matter up with King Taferi. The latter agreed that a European judge should be appointed for the Special Tribunal. He made, however, a number of oral reservations of which an important one had to do with the entire elimination of the foreign Consuls who now sit in the court, according to circumstances, to protect the interests of the national concerned and sometimes to advise. To this the Diplomatic Corps has been unable to agree for obvious reasons.

A so-called "Preliminary Proposal for the Special Tribunal," which is in effect a counter-proposal although not so designated because no formal written proposal has been made by the King, has been drawn up in French by the Diplomatic Corps. The proposal, which does not impress me as particularly well written,

was originally composed by the French Minister and then changed in various ways as the result of deliberation and discussion by his colleagues. A number of suggestions were made from this Legation. The original proposal was in French and the discussions have been in French. A not too good translation of the proposal has been made in this office and is, together with the original French, transmitted herewith.

It was agreed among the members of the Diplomatic Corps that we submit this proposal to our respective governments for instruction, after which it would be placed before the Ethiopian Government. My purpose in transmitting it is, therefore, to request the Department's instruction. Approval is recommended as the Legation from local viewpoint can at this time see no important argument against the proposal. If accepted by the Ethiopian Government it would certainly greatly improve the position and obtainable results for foreigners (particularly business men) who voluntarily or involuntarily find themselves involved in litigation with Ethiopians. It will be invaluable to the trading interests of the country. This proposal represents, in the opinion of the Diplomatic Corps, the most that the Ethiopian Government may be expected to concede at the present time. My colleagues all anticipate approval by their respective governments.

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In Article one of the proposal mention is made of the Franco-Ethiopian Treaty of January 10th, 1908. This document is known also as the Klobukowsky Treaty and has usually been so referred to in the various despatches from the Legation on this and related subjects.

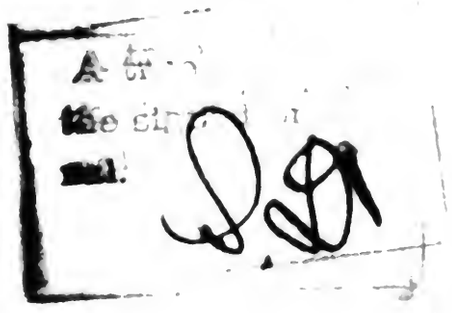
I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

2 Enclosures.

File No. 805.
AES/sld.



[redacted]

ANNEX HOLDEN BY TRIBUNAL SPECIAL.

The Personnel Indicated.

1. Le Tribunal Spécial institué en vertu de l'article 7 du traité Franco-Ethiopien du 10 Janvier 1908 sera composé d'un seul juge choisi du personnel judiciaire ci-dessous indiqué:

2. Ce juge sera un magistrat appartenant à la carrière judiciaire d'un des cinq pays suivants: Danemark, Norvège, Pays Bas, Suède ou Suisse.

3. Il sera désigné au Gouvernement de celui de ces Etats, qui sera choisi par le Souverain.

4. Il sera nommé pour cinq ans et sera inamovible pendant cette période.

5. Son engagement ne pourra pas être renouvelé et son successeur devra être demandé à un des autres pays désignés ci-dessus.

6. Il devra connaître la langue française suffisamment pour rédiger ses jugements dans cette langue et suivre les débats.

7. Ses appointements seront de £ sterlings 150 par mois. Il aura droit en bout de deux ans de congé d'un mois, à un congé de trois mois, non compris la durée du voyage. Son droit de déplacement d'Addis-Abeba à la capitale de son pays d'origine lui sera versé par le Gouvernement Ethiopien. Il supportera ses appointements pendant la durée de son congé.

8. Le Gouvernement Ethiopien demandera également à l'un des cinq Etats désignés ci-dessus, autre que celui qui aura désigné le Juge Spécial, la désignation d'un juge suppléant.

9. Le juge suppléant sera nommé pour quatre ans et sera inamovible pendant cette période. Son engagement ne pourra pas être renouvelé et son successeur devra être demandé à l'un des autres pays désignés ci-dessus. Il devra remplir la condition de l'article 6.

10. Les appointements du Juge suppléant seront de £ 100 par mois. Il n'aura pas droit à congé pendant cette période.

11. Ces juges seront assistés d'un interprète éthiopien, désigné par le Gouvernement de Sa Majesté.

12. Ils seront assistés d'un greffier appartenant à la carrière judiciaire d'un des pays désignés ci-dessous, nommé par le Gouvernement Ethiopien sur la présentation de son propre Gouvernement. Le greffier sera nommé pour 5 ans et son contrat pourra être renouvelé. Il devra connaître la langue française dans les mêmes conditions que le juge. Il sera assisté d'un interprète éthiopien. Ses appointements seront d'au moins à 70 par mois. Il aura droit à un congé payé de quatre mois tous les trois ans, non compris la durée du voyage.

13. Un sous-officier appartenant à la gendarmerie d'une des cinq nations indiquées ci-dessous sera chargé de l'exécution des sentences rendues par la Cour Spéciale d'Appel et par le Juge Spécial. Il aura le titre de Gendarme-Chef. Il aura le droit de requérir la force publique éthiopienne, en cas de besoin, pour l'exécution des sentences et mandat dont il sera chargé. Ses appointements seront d'au moins à 40 par mois. Il aura droit à un congé payé de quatre mois tous les quatre ans, non compris la durée du voyage.

De la Compétence.

14. La compétence du Juge Spécial s'étendra, en matière civile et commerciale, à toutes les causes dans lesquelles un Ethiopien (y compris les administrations publiques et les personnes civiles et morales) et un étranger (y compris les personnes civiles et morales) seront parties, soit comme demandeur, soit comme défendeur.

15. En matière pénale, ce juge sera compétent pour les délits et les contraventions.

16. La loi appliquée serait (1) En matière civile et commerciale, le Code Egyptien Mixte,

17. (2) En matière de délits, le Code Pénale Suisse.

18. En matière de contravention, les lois et règlements éthiopiens qui auront été acceptés par les représentants des puissances accréditées en Ethiopie, comme applicables à leurs nationaux.

19. Il jugera en dernier ressort:

Toutes les affaires civiles et commerciales en dessous de 5,000 thalers.

20. Tous les délits n'entraînant pas une peine supérieure à un an de prison ou à une amende de 2,000 thalers.

21.

21. Toutes les contraventions.

22. En cas d'empêchement le juge spécial pourra être remplacé par son suppléant.

23. La définition des crimes, délits et contraventions sera celle du Code Suisse.

Des Crimes.

24. Les crimes commis par un étranger vis-à-vis d'un Ethiopien, ou par un Ethiopien vis-à-vis d'un étranger, seront jugés par un Tribunal qui sera réuni, chaque fois que besoin en sera, par le Souverain. Celui-ci désignera pour en faire partie trois personnes choisies selon les cas exposés ci-après.

25. S'il s'agit de juger un crime dont est accusé un Ethiopien, ces trois personnes seront deux Ethiopiens nommés par le Souverain, et le juge du Tribunal Spécial. Celui-ci aura la présidence.

26. S'il s'agit de juger un crime dont est accusé un ressortissant étranger, ces trois personnes seront le Juge du Tribunal Spécial, Président, le Consul dont l'accusé est ressortissant, et un Ethiopien nommé par le Souverain.

27. La loi appliquée sera celle du pays de l'accusé.

28. Les fonctions du juge d'instruction seront remplies par le juge suppléant.

29. Une prison spéciale comportant le nombre de cellules jugées nécessaires, sera mise à la disposition du juge spécial comme du juge d'instruction de la Cour d'Appel Spéciale. Les mandats de dépôt ou les levées d'écrou seront signés par le Juge d'instruction.

Appels.

30. Les appels contre les sentences rendues par le Tribunal Criminel Spécial, composé comme ci-dessus, et contre les jugements du juge spécial, dans les cas où ils en sont susceptibles, seront portés devant une Cour Spéciale, composée par le Souverain et comprenant:

31. Deux fonctionnaires du Gouvernement Ethiopien, dont l'un sera désigné par le Souverain comme Président de la Cour d'Appel.

32.

33. Deux étrangers désignés par les Représentants des Puissances accréditées en Ethiopie, un de ces juges devant appartenir à la nationalité de l'étranger en cause, ou à la nationalité du Représentants dont cet étranger est ressortissant.

34. Un notable de nationalité éthiopienne (si le défendeur ou l'accusé est éthiopien) ou étrangère (si le défendeur ou l'accusé est étranger). Le nom de ce notable sera tiré au sort sur une liste établie chaque année d'accord entre le Souverain et le doyen du Corps Diplomatique.

Procédure.

34. La procédure en matière civile et commerciale, et en matière de contravention sera la procédure en vigeur devant les Tribunaux Mixtes Egyptiens.

35. En matière criminelle et correctionelle, la procédure sera réglée une première fois d'avance, et par écrit, pour chaque nature d'affaire, par le Juge du Tribunal Spécial qui devra la communiquer aux parties.

36. Ce réglement fera jurisprudence pour chaque cas analogue.

37. Le juge s'inspirera des règles en vigeur en Europe en les simplifiant dans la plus large mesure possible.

38. Seront obligatoires les règles suivantes:

39. En dehors du cas de flagrant délit, aucune arrestation ne sera faite sans un mandat d'arrêt signé du juge spécial ou de son supplémt.

40. En cas de flagrant délit, le délinquant sera arrêté par les autorités locales, qui le remettront aussitôt au Consul dont il dépend. Celui-ci le déférera dans le plus bref délai au juge spécial.

41. Le juge spécial procédera à l'interrogatoire de l'accusé dans les 24 heures à partir de son arrestation ou de son arrivée à Addis-Abeba.

42. La citation à comparaître devant le juge devra comprendre le texte des articles dont l'application est requise, et devra parvenir à l'inculpé au moins trois jours avant l'audience. Tout jugement devra être signifié au condamné, par l'intermédiaire du greffier, dans les trois jours au maximum après qu'il aura été prononcé.

43. Les jugements par défaut seront susceptibles d'opposition dans les dix jours de leur signification.

44. L'appel des jugements contradictoires devra être fait au greffe du Tribunal Spécial dans les 40 jours du prononcé du jugement.

45. La Cour Spéciale d'Appel devra être réunie pour le jugement de cet appel dans le mois qui suivra le dépôt de l'appel au greffe.

Tribunaux de Provinces.

46. Les Tribunaux Spéciaux fonctionnant dans les provinces (sauf pour Harar et Dirré-Daoua) continueront à siéger dans les mêmes conditions qu'aujourd'hui. Toutefois l'appel des causes jugées par eux sera porté devant le Juge Spécial et jugé par lui en dernier ressort, dans les limites de sa compétence telle qu'elle est définie des paragraphes 15 à 22.

47. Si l'importance de la cause dépasse les limites en question l'appel sera porté directement devant la Cour Spécial d'Appel.

48. Le Juge Spécial ou son suppléant devront se rendre deux fois par an au moins dans chacune des villes de Harar et de Dirré Daoua, pour y tenir une session dans les mêmes conditions qu'à Addis-Abeba, afin d'y juger les affaires en cours. Ils recevront à cet effet leurs frais de voyage et une indemnité de 10 thalers par jour.

49. En cas d'urgence, seulement les causes qui se présenteraient dans ces villes seraient jugées comme elles le sont actuellement, avec les conditions stipulées ci-dessus pour les Tribunaux de provinces en ce qui concerne l'appel.

Enclosure to Despatch No. 172 of April 10th, 1928, from Addison L. Southern, Minister and Consul General at Addis Abeba, Ethiopia.

PRELIMINARY PROPOSAL FOR THE SPECIAL TRIBUNAL.

—————oOo—————

The Judicial Staff.

1. The Special Tribunal, instituted by virtue of Article 7 of the Franco-Ethiopian (Klobukowsky) treaty of January 10th, 1908, shall be composed of the judicial staff indicated below:

2. A judge who shall be a magistrate belonging to the judicial career of one of the following countries: Denmark, Norway, Holland, Sweden or Switzerland.

3. He shall be chosen by the Sovereign and shall be requested from the Government of one of these States.

4. He shall be appointed for five years and shall not be removable during this period.

5. His contract may not be renewed and his successor must be requested from one of the other countries above designated.

6. He must know the French language sufficiently to draw up his decisions in that language and to follow the pleadings.

7. His salary shall be 150 pounds sterling monthly. He shall be entitled at the end of a stay of two and a half years to a leave of three months, not including the duration of the voyage. His travelling expenses from Addis Abeba to the Capital of his native country shall be paid to him by the Ethiopian Government. His salary continues during the period of his leave.

8. The Ethiopian Government shall also request the designation of an assistant judge from one of the above specified States, other than that which shall have designated the Special Judge.

9. The Assistant Judge shall be appointed for four years and shall not be removable during this period. His contract may not be renewed and his successor shall be requested from one of the other countries above designated. He must fulfil the conditions of Article 6.

10. The salary of the Assistant Judge shall be 120 pounds sterling monthly. He shall not be entitled to leave during this period.

11.

11. These judges shall be assisted by an Ethiopian interpreter designated by His Majesty's Government.

12. They shall be assisted by a clerk belonging to the judicial career of one of the above mentioned countries, appointed by the Ethiopian Government on the presentation of his own Government. The clerk shall be appointed for three years and his contract may be renewed. He must know the French language in the same conditions as the judge. He shall be assisted by an Ethiopian interpreter. His salary shall be at least 70 pounds sterling monthly. He shall be entitled to a paid leave of four months once in every three years, not including the duration of the journey.

13. A non-commissioned officer belonging to the gendarmerie of one of the five nations above mentioned shall be entrusted with the execution of the sentences given by the Special Court of Appeal and by the Special Judge. He shall have the title of Chief Gendarme. He shall be entitled to assistance by Ethiopian public forces, in case of need, for the execution of the sentences or the warrants with which he shall be entrusted. His salary shall be at least 40 pounds sterling monthly. He shall be entitled to a paid leave of four months once in every four years, not including the duration of the journey.

Jurisdiction.

14. The jurisdiction of the Special Judge shall extend in civil and commercial matters to all the cases in which the parties shall be an Ethiopian (including the public administrations, civil and social institutions) and a foreigner (including civil and social institutions), either as plaintiff or as defendant.

15. In penal matters the authority of this judge shall cover all misdemeanors and infractions.

16. The law to be applied in civil and commercial cases shall be the Egyptian Mixed Code.

17. In criminal cases it shall be the Swiss Penal Code.

18. In matters of contraventions it shall be the Ethiopian laws and regulations which shall have been accepted by the representatives of the Powers accredited to Ethiopia as applicable to their subjects.

19. It shall judge without appeal:

All civil and commercial affairs involving sums up to five thousand thalers.

20. All criminal cases entailing penalties of not more than one year imprisonment or a fine of two thousand thalers.

21. All contraventions.

22. In case of inability to perform his duties the Special Judge may be replaced by his assistant.

23. The definition of crimes, misdemeanors and contraventions shall be that of the Swiss Code.

Crimes.

24. The crimes committed by a foreigner against an Ethiopian, or by an Ethiopian against a foreigner, shall be judged by a Tribunal which shall be assembled on each occasion necessary by the Sovereign. The latter shall designate as members three persons chosen as indicated below.

25. If it is a question of judging a crime of which an Ethiopian has been accused, these three persons shall be: the Judge of the Special Tribunal, presiding, and two Ethiopians appointed by the Sovereign.

26. If it is a question of judging a crime of which a foreign subject is accused, these three persons shall be: the Judge of the Special Tribunal, president, the Consul of the country of which the accused is the subject, and an Ethiopian appointed by the Sovereign.

27. The law applied shall be that of the country of the accused.

28. The functions of investigating magistrate shall be performed by the Assistant Judge.

29. A special prison containing the number of cells considered necessary shall be placed at the disposition of the Special Judge, as well as to the investigating magistrate of the Special Court of Appeal. The warrants of committment to or release from jail shall be signed by the investigating magistrate.

Appeals.

30. The appeals from the sentences given by the Special Criminal Tribunal composed as above and from the decisions of the Special Judge, in cases that are susceptible to appeal, shall be taken before a Special Court appointed by the Sovereign and comprising:

31. Two officials of the Ethiopian Government, one of whom shall be designated by the Sovereign as President of the Court of Appeal;

32. Two foreigners appointed appointed by the representatives of the Powers accredited in Ethiopia, one of these judges belonging necessarily to the nationality of the foreigner concerned or to the nationality representing the interests of the country of which the accused is a subject;

33. A notable of Ethiopian nationality (if the defendant or the accused is an Ethiopian) or of foreign nationality (if the defendant or the accused is a foreigner). The name of this notable shall be drawn by lot from a list established every year by agreement between the Sovereign and the Dean of the Diplomatic Corps.

Procedure.

34. The procedure in civil and commercial matters and in matters of contravention shall be that of the Egyptian Mixed Tribunals.

35. In criminal and correctionnal matters the procedure shall in each first instance be defined beforehand in writing by the Judge of the Special Tribunal who must communicate it to the parties accused.

36. These regulations shall construe jurisprudence for each analogous case.

37. The judge will be guided by the rules (and precedents) in force in Europe, simplifying them to the greatest possible extent.

38. The following rules shall be obligatory:

39. Except in the case of flagrant offence no arrest shall be made without a warrant signed by the special judge or by his assistant.

40. In case of flagrant offence the offender shall be arrested by the local authorities who shall hand him over to the Consul representing his country. The latter shall give him up with the least possible delay to the Special Judge.

41. The Special Judge shall proceed with the examination of the accused within twenty four hours from the time of his arrest or his arrival in Addis Abeba.

43. The summons to appear before the judge must include the text of the articles of law applicable, and must be given to the accused at least three days before the trial. All judgments must be conveyed to the condemned through the Chief Gendarme within three days after pronouncement.

45. Judgments given in default may be contested within ten days following their notification.

44. The appeal from judgments after both sides have been heard must be made at the clerk's office within 40 days following pronouncement.

45. The Special Court of Appeal must be assembled for the judgment of this appeal in the month following the registration of the appeal at the clerk's office.

Provincial Tribunals.

46. The Special Tribunals performing their functions in the provinces (except for Harrar and Diré Daoua) shall continue to sit in the same manner as at present. However, the appeal of cases decided by them shall be taken before the Special Judge and decided by him without appeal within the limits of his competency as defined in paragraphs 15 to 22.

47. If the importance of the case over-reaches the limits in question, the appeal shall be taken directly to the Special Court of Appeal.

48. The Special Judge or his assistant shall go at least twice a year to each of the cities of Harrar and Diré Daoua to hold a session in the same manner as in Addis Ababa, for the purpose of hearing cases pending. For this purpose they shall receive their travelling expenses and a compensation of 10 thalers per diem.

49. In emergencies the cases which might present themselves in these cities shall be judged as at present, under the conditions regarding appeal defined above for Provincial Tribunals.

DOCUMENT FILE

NOTE

884.041/4

SEE 884.05/8 FOR #268

FROM Abyssinia (Southard) DATED Sept.21,1929

TO

NAME

1—1127

REGARDING: Registration and qualification of lawyers desiring to practice in the Special Tribunal in Addis Ababa. Translation of an order requiring the --. Discussion of law court organization.

leb

Addis Ababa,
Ethiopia,

September 21st, 1929.

No. 268.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor, as further indication of the trend towards modernization of official administration in Ethiopia, to transmit herewith translation from the Amharic of an order just issued by the administrator of the Special Tribunal in Addis Ababa requiring the registration and qualification of lawyers desiring to practice in that court.

The Ethiopian Government has not heretofore made regulations governing the practice of the professions. There is no examination for qualifications, or official registration, required from those who wish to practice the professions of medicine, dentistry, pharmacy, law, etc., etc. As a result many unscrupulous and unqualified people, mainly Levantines, have come here to practice all the professions. There are understood to be about thirty men in

Addis Ababa

Addis Ababa holding themselves out as qualified lawyers of whom only two are known to hold diplomas evidencing a proper legal education. This new order, if enforced, will deprive many of them of the easy living which they have heretofore made at the expense of the litigious members of the community.

As previously reported at various times from this office in more detail the Special Tribunal in Addis Ababa is organized under Ethiopian judges (without legal education) for the trial of cases between Ethiopians and foreigners. Cases between foreigners are tried in the local Consular Court of the defendant. Cases between Ethiopians only are tried in strictly local and native courts where results are based mainly upon religious and family influences tinctured to some extent by financial inducements to the judge and appeals to his whims or humors of the moment.

The present administrator of the Special Tribunal, which might be called a Mixed Court in somewhat loose comparison with the institution of that kind in China, is an Ethiopian of excellent European medical education. He is Doctor W. C. Martin, at one time intimately connected with the Tsana dam matter. Doctor Martin has European ideas and has doubtless issued the order (herewith transmitted) with a view to correcting abuses resulting from activities of the number of unlicensed and legally unqualified practitioners who appear in his court. Should

the

the enforcement of the order be left entirely to him it would doubtless be honestly administered but he is an old man with too much work to do and there is no certainty that the order will not lapse after an initial and more or less spasmodic effort to apply it.

The local Diplomatic Corps has already presented to King Tafari a project for the reorganization of the Special Tribunal which will bring about the appointment of European judges and the application of a code of laws somewhat along the lines of that now used in Egypt in the handling of cases involving foreigners. We in the absence of instructions to that effect from the Department are the only local Legation which has not adhered to the court reform project now in the hands of the King.

The whole matter of law court organization in Ethiopia is still in a decidedly nebulous form. The promulgation of proper codes of laws, and the establishing of courts under qualified judges, are among the reforms and modernizations of feudal Ethiopian procedure lately receiving consideration from the government. Progress is necessarily slow and of the fragmentary nature indicated by this and various previous despatches on the general subject which have emanated from this office. As soon as sufficient tangible material becomes available a somewhat comprehensive report on the judicial and legal situation will be attempted. That may well be a matter of two or three years yet.

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I have the honor to be, Sir,

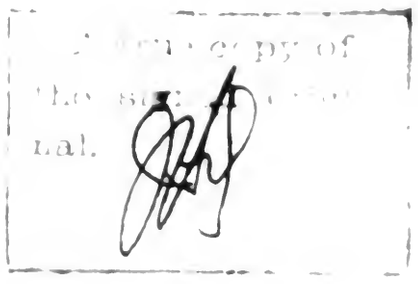
Your obedient servant,

Addison E. Southard

ADDISON E. SOUTHARD.

1 Enclosure.

File No. 340
AES/jef.



Enclosure to Diplomatic Despatch No. 263 of September 21st, 1929, from Addison E. Southard, Minister & Consul General at Addis Abeba, Ethiopia, on the subject of the new administration of the Special Tribunal in Ethiopia.

THE ADMINISTRATOR OF THE SPECIAL TRIBUNAL.

DECREE:

1. All persons desiring to exercise the profession of judicial attorney and to represent litigants before the Special Tribunal, must address a request to the Administrator of the Special Tribunal and present therewith the diplomas, certificates, etc., or otherwise demonstrate sufficient professional knowledge (therefor).

2. Persons thus approved will be duly authorized by the Administrator (to practice) and will be entered in alphabetical order in a List of Legal Attorneys. This List will be posted in the Tribunal under the direction of the clerk of the Court. Registration in the List is subject to a fee of MT$10.00 per annum.

3. Only the legal attorneys entered in the official List will be entitled to represent litigants before the Special Tribunal. Registration in the List does not exempt an attorney from giving evidence of his authority to act, by means of a regular power of attorney from his client.

4. The Administrator will always have the power to remove from the List the name of any one convicted of an ignominious penal offense.

5. The fees of the attorney representing the losing side will in future be fixed as follows, based upon the amount awarded by judgment to the winning side:

Up to MT$ 50,000	10%	(maximum MT$ 5,000)
From MT$ 50,000 to MT$100,000	5%	(maximum MT$ 7,500)
From MT$100,000 up	2%	(example: MT$150,000 yields a maximum fee of MT$3,500).

The present decree will be effective from the 15th of Maskaram, 1922 (i. e., September 25th, 1929).

Persons desiring registration in the List for the year 1922 will present their applications to the Administrator between this date and the 15th of Maskaram, 1922.

(Sgd.) W. Martin,
September 16th, 1929.

Seal of the
Special Tribunal.

DOCUMENT FILE

NOTE

New

SEE 884.6461/48 FOR #54

FROM Abyssinia (Southard) DATED Aug.2,1928

NAME

TO

1—1127 G P O

INDEX BUREAU 8 1928

REGARDING: recent offer to Dr. W. C. Martin of judgeship of the so-called Special Tribunal at Addis Ababa before which come all cases of litigation between foreigners and Ethiopian subjects.

Wh

Addis Ababa, Ethiopia.

August 2, 1928.

No. 54

The Honorable,

The Secretary of State,

Washington.

Sir:

I have the honor to refer to my confidential despatch No. 51 of July 31st, 1928, on the subject of Doctor W. C. Martin's visit to London and itspossible connection with the matter of the Lake Tsana dam construction.

Today I have heard that Doctor Martin's departure from Ethiopia may have as anadditional purpose membership in the delegation which will represent Ethiopia at Geneva in September when the matter of the permanent admission of this country to the League of Nations is scheduled to come up for discussion. Should this be true it is probable that Doctor Martin will spend some time in Geneva before going to London on

business

business having a possible connection with the Tsana matter.

Doctor Martin to date has no actual official position in the Ethiopian Government, although I have learned from him that he was recently offered the judgeship of the so-called Special Tribunal in Addis Ababa before which come all cases of litigation between foreigners and Ethiopian subjects.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

AES/JW

A true copy of the signed original. JEW

DOCUMENT FILE

NOTE

SEE ~~884.041/6~~ 884.05/8 FOR #268

FROM Abyssinia (Southard) DATED Sept.21,1929.
TO NAME

1—1127

INDEX BUREAU
1940 884

REGARDING: Translation of Order requiring registration and qualification of lawyers desiring to practice in Special Tribunal in Addis Ababa. Discussion of law court organization in Ethiopia.

km

Addis Ababa,
Ethiopia,

September 21st, 1929.

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Your obedient servant,

Addison E. Southard

ADDISON E. SOUTHARD.

1 Enclosure.

File No. 340
AES/jef.

Enclosure to Diplomatic Despatch No. 868 of September 21st, 1929, from William J. Southart, Minister & Consul General at Addis Ababa, Ethiopia, on the subject of the new administration of the Special Tribunal in Ethiopia.

THE ADMINISTRATOR OF THE SPECIAL TRIBUNAL.

DECREE:

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Up to MT$ 50,000		10%	(maximum MT$ 5,000)
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September 16th, 1929.

Seal of the
Special Tribunal.

DEPARTMENT OF STATE

DIVISION OF FOREIGN SERVICE ADMINISTRATION

Dept. of State
NOV 14 1928
RECEIVED
Index Bureau

Nov. 13/28

Do you think it might be well to file this (Possible) for future use?

DEPARTMENT OF STATE
NOV 13 1928
DIVISION OF
NEAR EASTERN AFFAIRS

AE

Addis Abeba, Ethiopia,

October 8th, 1928.

I have received a number of [illegible] which are not yet [illegible] but [illegible] you [illegible] matter.

[illegible] in which an alien is the [illegible] consular court regulates [illegible] the receipt of your letter [illegible] with reference to [illegible] (Abyssinian) law. to [illegible] of Ethiopian law known to [illegible] edition in two volumes of the Fatha Negust, which is already in your possession.

Modernization of judicial procedure in Ethiopia has not made great progress. The ancient and church laws appear to have been considered sufficient until a few years ago when agitation started to have a court organized before which aliens could bring suits against Ethiopian subjects. This has resulted in an institution known as the Special Tribunal of Addis Ababa. Rules and regulations for its operation have been drawn up in manuscript form and they partake of the nature of laws. It is not known when printed copies may be made available, but this office will let you know when such occurs.

There

FILED
NOV 13 1928

884.404

Addis Ababa, Ethiopia,

October 8th, 1928.

Elbert H. Gary Library of Law,

McKinlock Campus,

Chicago, Illinois.

Dear Sirs:

This is to acknowledge the receipt of your letter of August 30th, 1928, inquiring with reference to printed sources of Ethiopian (Abyssinian) law.

The only printed source of Ethiopian law known to this Legation is the Italian edition in two volumes of the Fatha Negust, which is already in your possession.

Modernization of judicial procedure in Ethiopia has not made great progress. The ancient and church laws appear to have been considered sufficient until a few years ago when agitation started to have a court organized before which aliens could bring suits against Ethiopian subjects. This has resulted in an institution known as the Special Tribunal of Addis Ababa. Rules and regulations for its operation have been drawn up in manuscript form and they partake of the nature of laws. It is not known when printed copies may be made available, but this office will let you know when such occurs.

There

FILED
NOV 13 1928

There have recently been issued a number of municipal ordinances (Addis Ababa) which are not yet available in printed form. We shall also let you know if and when these are printed.

All legal controversy in which an alien is the defendant is heard in his Consular Court regardless of the nationality of the plaintiff.

As you doubtless know there is no legislative body in the Ethiopian Government. An absolute monarchy exists and the word of the ruler is the law excepting where it may conflict with the Fatha Negust, already mentioned. The latter appears always to supersede should the responsible judicial officer insist. The state church generally wields considerable influence in the interpretation and application of the ancient law.

Legal and judicial reform is the order of the day in Ethiopia but it is not possible to say just how soon such will take printed form. Developments are expected to be not long delayed.

This office is entirely at your service for any further information available, or for assistance of other sort.

I

I am, Dear Sirs,

Very truly yours,

ADDISON E. SOUTHARD.

File No. 804.4
AES/sid.

SD

DOCUMENT FILE

NOTE

884.52/1 #91

SEE ---------- FOR ----------

FROM Abyssinia (Southard) DATED Nov.5,1928

TO NAME

1—1127 G P O

INDEX BUREAU
884.048

~~REGARDING~~ enclosing translation from Amharic of official Property Decree promulgated by Ethiopian Government on October 24, 1928, intended to end the confiscation of official or private property for actual or charged offenses against Government or Ruler.

Wh

Addis Ababa,
Ethiopia, November 5th, 1926.

No. 91.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor, in continuation of the suggestion indicated in my Diplomatic Despatch No. 88 of October 30th, 1926, to forward herewith translation from the Amharic of an official "Property Decree" promulgated by the Ethiopian Government under date of October 24th, 1926.

This decree, which is another of the gestures resulting from the recent coronation of His Majesty, King Tafari Makonnen, has been received with general rejoicing. It removes a great worry from many Ethiopian subjects, and

particularly

particularly from those who hold official position.

Heretofore any Ethiopian official has been liable to confiscation of his property on the basis of either actual or charged offences against the Government or Ruler. He might, or might not, be innocent. Should the charges possess plausibility and sufficient influential support the defendant would have little chance. In a great majority of the cases greed has been suspected as an impelling motive back of the charges. There were, and are, frequently many who could benefit by confiscations of either official or private property, which this decree is intended to end.

Property could be confiscated from any subject, whether of official character or not, and on many offenses. Naturally the greater number of confiscations resulted from charges brought against officials. The latter class of the population usually possess more property than private individuals. Also, because of their public positions, plausible, and even actual, charges of offences against state or king could more easily be arranged. In a country where revolts have been not uncommon many an official could be found occasionally placed under circumstances facilitating the bringing of plausible charges by his rivals or others. Such is stated by those most familiar with Ethiopian history to have frequently happened in the past.

Many

Many of the present more or less prominent members of the Ethiopian Government have in their time suffered confiscation of their then properties. Upon being restored to favor they have, of course, by the Oriental methods of Government prevailing in Ethiopia, been able to recoup previous losses. But the game has been a precarious one and the new decree will bring with it a delightful feeling of security to the governing class in particular. Incidentally it may well have the effect of bringing increased efficiency into government as many officers will no longer be hampered by worry over what might happen. They will thus be encouraged to more impartial performance of their duties.

The third paragraph of the decree appears, however, to perpetuate a somewhat disguised sort of confiscation. The accused still runs the chance of losing his property, but as he loses to his family the temptation formerly existing with his enemies or rival fellow officials to bring charges is no longer so importantly present. Prior to this decree the confiscation of the property of a given official or leader allegedly could be so arranged that it settled later, and of course indirectly, into the hands of the associates who brought the charges. Sometimes the government actually retained confiscated property; sometimes it was sold; and often it was presented to favorites of the ruler.

According

According to the first paragraph of this decree, it may be noted, the right of freedom from confiscation has existed in the "Christian Ethiopian Provinces of the north." These provinces are mainly those of Tigre, Gondar, Gojjam, and Shoa. In practice they appear not, however, to have been entirely free in this respect. There are stated to have been rare instances of governmental expropriation of property belonging to officials or subordinate leaders because of alleged treason. In the other parts of Ethiopia expropriation has been the practice rather than the exception and has applied to all classes, private or official.

In the last paragraph of the decree a blow has been struck, indirectly as well as directly, at illegitimacy of children. There are many such children in Ethiopia. Many have in the past become heirs to the property as well as to the titles and powers of the father. In this way has a certain amount of negro blood been introduced among the ruling classes of Ethiopians. Many of the illegitimate children have come from the indiscretions of the master with the negro servants existing in numbers in the households of the more powerful leaders. Most of such servants have originated as booty of military expeditions which move from time to time — more often before than now — against recalcitrant negro tribes governed by Ethiopia in the south and south west.

They

They form a considerable proportion at least of the "slaves" which are frequently written about as existing in Ethiopia. It is true that they have become servants through conquest but their situation appears not nearly so harsh as the blunt term slavery would imply. In many instances they receive small amounts of money in addition to food and clothing, are not violently restrained from leaving any particular household if sufficiently determined, and are rarely sold or bartered in the good old Uncle Tom's Cabin style which we often unconsciously visualize when the term slavery is mentioned or applied. They are in a state of paternal servitude which cannot well be called an ideal institution but which, on the other hand, does not partake of all the harshness of actual slavery of days that are mostly gone.

There will, of ocurse, result considerable elasticity in deciding as to which are, and as to which are not, illegitimate children. Legal marriage appears frequently to be rather a loose arrangement in Ethiopia. Church marriage, which exists mainly among the ruling classes, is strict and indissoluble according to church law. Civil marriage is easily entered into and easily gotten out of. It is more a practice of the masses of the people. A man may in the presence of witnesses hire a woman for so much a month to be his wife. A man and a woman may agree to pool their resources and become

husband

husband and wife. A woman may also employ a man as husband, although such is rarely admitted. In all three circumstances, and in others, the contract may be only oral but must be given in the presence of witnesses. Similarly, to dissolve the union an oral declaration by either party may be made to that effect in the presence of witnesses and in accordance with a prescribed, but simple, formula.

With legal marriage so simple under certain circumstances a man might conceivably and without difficulty prove by the use of his own henchmen as witnesses that he enjoyed the relation of civil marriage with the servant, or other, by whom a certain child might have been begotten.

While this new decree has been generally received with favor there is a certain element of the population which is uneasy. It is made up mainly of those who hold property which at one time or another was confiscated. They fear that the powerful and influential may be able to procure such interpretation of the decree as to make present holders liable for the return of confiscated property. It does not appear that the decree will be permitted to have any such retrospective effect, but there is as yet no certainty that such will not happen.

However, the moral and economic effect of the decree is far reaching. It marks another very real and constructive step in that modernization of Ethiopia which appears

appears to be the constant and sincere aim of His Majesty, King Tafari Makonnen.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

1 Enclosure.

File No. 800/802.
AES/sid.

A true copy of the signed original.

Enclosure.

PROPERTY DECREE.

(Published October 24th, 1926.)

—oOo—

From this date every Ethiopian subject will be permitted to hold his property free from confiscation; a right heretofore enjoyed only in the Christian Ethiopian Provinces of the north.

From this date every person found guilty of an offence against the law shall be punished by physical or pecuniary penalty as established; they shall no longer be subject to confiscation by the Government of their property.

However, in the case of any person found guilty of offence against the King or Government, his property shall at once legally pass to his children, or, lacking children, to his legal heirs even to the third generation.

The son or legal heir who thus receives property shall, according to an amount fixed by the Government, allow sufficient for the support of the criminal concerned.

Should the criminal become the father of a child born after the transfer of his property to legal heirs, as provided above, such child shall receive half of the property with half remaining in the hands of the original receivers.

Should the criminal through malevolence or rancour adopt a bastard the latter shall not inherit the property at the expense of the legal heirs. Only legitimate children may thus come into property.

—oOo—

DOCUMENT FILE

NOTE

INDEX BUREAU
884.044/3
AUG 29

SEE 884.012/4 FOR # 249

FROM Abyssinia (Southard) DATED Aug.27, 1929.
TO NAME

1—1127

REGARDING: Move under way to employ European advisors, when it is probable that a code of laws will be drawn up. A code of procedure for a special Tribunal to have jurisdiction over mixed Ethiopian and foreign cases has lately been submitted to the Government by the Diplomatic Corps for consideration. Legal matters between foreigners are handled in the local Consular Courts, the court of the defendant having jurisdiction.

mb

BY William Lescure DATE July 17, 1962

government has this material in accessible form, but the Legation hopes to be able in time to collect some of it.

There is a move under way by the Ethiopian Government to employ European legal advisers and when this occurs there will doubtless be developed a code of laws and regulations of modern form and application. A code of procedure for a Special Tribunal to have jurisdiction over mixed Ethiopian and foreign cases has lately been submitted by the Diplomatic Corps to the Ethiopian Government for consideration. Legal matters between foreigners are adjudicated in the various local Consular courts, the court of the defendant having jurisdiction. This general subject has been reported upon to the Department in various despatches of which recent ones were the Legation's Nos. 134 and 179 of January 8th and April 10th, 1929, respectively.

The subject of the inquiry of the Secretary of the Carnegie Endowment for International Peace will be kept in mind and further information will be supplied as promptly as it becomes available.

I have the honor to be, Sir,

Your obedient servant,

1 Enclosure. ADDISON E. SOUTHARD.

File 801.2.
AES/sid.

A-C/C

DEPARTMENT OF COMMERCE
BUREAU OF FOREIGN AND DOMESTIC COMMERCE
WASHINGTON

Memo. Dept.
Addis Ababa

August 8, 1928.

Index Bureau
RECEIVED
AUG 10 1928
Dept. of State

IN REPLY REFER TO 25g

DEPARTMENT OF STATE
ASSISTANT SECRETARY
AUG 11 1928

Hon. Wilbur J. Carr,
Assistant Secretary of State,
Department of State,
Washington, D. C.

Attention: A-C/C

Dear Mr. Carr:

The Division of Commercial Laws of the Bureau of Foreign and Domestic Commerce is in receipt of a request from an American firm asking for information concerning the protesting of drafts in Addis Ababa, Ethiopia.

The questions which are asked by the inquiring firm are: What is the cost of protesting drafts in that colony, whether there exists a distinction between protesting drafts for non-payment or non-acceptance, the time limit for protests, the time limit for legal action following protests, how protest is effected, what effect protest has on the right of the drawer to pursue collection, and what right the drawer of an accepted draft has when the drawee goes bankrupt or insolvent between the acceptance of the draft and maturity. These are questions of great importance to American firms and the Division of Commercial Laws does not have any information on this subject for Addis Ababa in its files at the present time. It will be appreciated therefore if you will ask the consul at Addis Ababa to prepare a report on this subject for use in replying to the inquiry and for answering similar inquiries in the future.

Very truly yours,

Perry J. Stevenson

Perry J. Stevenson,
Liaison Officer.

INDEX BUREAU
FILED
AUG 14 1928

ADDRESS ALL COMMUNICATIONS TO
BUREAU OF FOREIGN AND DOMESTIC COMMERCE
WASHINGTON, D. C.

August 13, 1928

MEMORANDUM

The American Minister Resident and Consul General is provided with a copy of a letter (25g) dated August 8, 1928 from the Bureau of Foreign and Domestic Commerce which he will accept for his guidance in the prompt submission of a report, in quintuplicate, containing as complete a reply as possible to the Bureau's inquiries with respect to the protesting of drafts in Addis Ababa.

884.0443/2

The report should cite at the top of its initial page the date and file number of this memorandum instruction and the date and reference number of the Bureau's letter.

This memorandum instruction is to be given the same consideration and attention as a signed instruction.

Enclosure as stated.

884.5151/1

A-C/C:CEMac:VTS.

AM RECD
NOV 14 1928

293463

A-4c

2 copies to Commerce
Copy to Ch. C.
AW
NOV 15 1928

11:05
11:15

DEPARTMENT OF STATE
A-GLO
NOV 16 1928
ASSISTANT SECRETARY OF STATE

884.0443/3
DECIMAL FILE

PROTESTING OF DRAFTS IN ADDIS ABABA.

(Department's memorandum instruction of August 13th, 1928, File No. ~~884.~~5151/1, with copy of letter of August 8th, 1928, (25g), from Bureau of Foreign and Domestic Commerce).

884.0443/1

----oOo----

Minister and Consul General.

(Addison E. Southard)

Addis Ababa, Ethiopia. Date of Preparation: Oct. 2nd, 28.

Date of Mailing: October 7th, 28.

FILED
NOV 17 1928

----oOo----

There is no established Ethiopian legal procedure relating to the protesting of drafts. The courts of the country are not organized along modern lines. They administer a code of laws drawn up many centuries ago. There is a movement under way to revise the code and to add laws and rules which the lately initiated economic development of the country makes increasingly necessary.

no. 9-6/6
11/17/28

necessary.

A recent step towards modernizing judicial procedure in the country has been the establishing of a socalled Special Tribunal before which come all cases in which aliens are plaintiffs against Ethiopian subjects. The rules for the operation of this special court so far include nothing with reference to the protesting of drafts and related activities.

In suits against aliens jurisdiction usually falls to the Consular Court of the nationality of the defendant. Could the Bureau of Foreign and Domestic Commerce indicate the nationality of the local firm or individual against which its inquirer desires to take action? If so an effort will be made to procure information as to the procedure to be followed in the particular Consular Court concerned. This office regrets that neither its facilities nor its staff would permit undertaking the somewhat formidable and certainly voluminous task of attempting to compile a complete digest, in the premises outlined, of the actual and sometimes necessarily hypothetical procedures in all of the many and various Consular Courts which now function or which might be expected to function in Ethiopia. Even the preliminary step of translating from the French, Italian, German, Greek, Turkish, Arabic, Amharic, etc., etc., would require many weeks provided talent could be found for such extensive work.

In conclusion it may be reported that no Ethiopian laws exist governing conduct and procedure in the protesting and related activities having to do with the collection

collection of drafts. Should an American firm wish to sue an Ethiopian in such circumstances it would employ a local lawyer who would simply file suit in the Special Tribunal of Addis Ababa. Whether or not the suit had the quality of being acceptable and judicable would be decided by the Ethiopian presiding officer who would not necessarily, according to present practice, be governed by any particular set of rules or regulations. There are no existing laws especially applicable to this particular subject.

As to the inquiry concerning costs of such action in Ethiopia [(which is a sovereign state and not a colony as stated in the letter of August 8th, 1928, from the Bureau of Foreign and Domestic Commerce)] there is little of definite nature to report. It is opined, in the absence of more definite information, that the cost of such action would be determined by what the lawyer employed thought could be collected from his client.

CONFIDENTIAL SECTION OF REPORT.

According to the ancient Ethiopian law debt is a crime and is sometimes punished as such.

The Governor of the Bank of Abyssinia, Addis Ababa, confidentially informed the writer of this report that he had on behalf of a client sued an Ethiopian on a dishonored draft. Suit was brought in the Special Tribunal and was decided against the complainant. The Ethiopian then turned around and sued the bank for damages! As the latter suit had to be brought in the British Consular Court it did not, of course, result in any damage to the bank.

DOCUMENT FILE

NOTE

SEE 884.5034/2 FOR #123

FROM Addis Ababa (Southard) DATED Oct.30,1929

NAME

TO

1—1127 o.p.o.

884.04/43

~~REGARDING:~~ enclosing translation of official Ethiopian Decree providing for registration of brokers and regulation of merchants and nagadis.

NO. 123.

Addis Ababa, Ethiopia.

October 20th, 1929.

SUBJECT: Ethiopian Decree for the Registration of Brokers and Regulation of Merchants and Nagadis.

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

I have the honor to transmit herewith translation of an official Ethiopian decree requiring the registration of brokers and the regulation of merchants and nagadis.

This decree is of no important interest at present to American trade but is representative of the tendency and desire of the Ethiopians and certain of their foreign advisors to place local trade on a more regular and honest basis than has heretofore existed. The standard of integrity among the smaller merchants and brokers (merchandise brokers) of the country has not been high and now that Ethiopian trade is expanding its foreign contacts there is need for reform.

Most of the merchants and brokers in the country are foreigners — mainly Arabs and Levantines — and this decree has accordingly had to have the approval of the Diplomatic Corps. Such approval has been given only

only after more than a year of discussion and only after many changes from the original Ethiopian proposal. On Page three of the attached decree will be noticed a sentence underlined which represents an amendment insisted upon by the Diplomatic Corps. Curiously this amendment does not appear in the decree as officially published by the Ethiopian Government although it is in the certified original copy of the decree in the Ethiopian archives. It was, of course, objected to by the Ethiopian Government which had to accept it, however, as one of the conditions of approval by the Diplomatic Corps of the main provisions of the decree.

The amendment in question was, of course, necessary in accordance with the French Klobukowsky Treaty of 1908 (previously discussed in various of the Diplomatic despatches from this office) which provides for foreigners in Ethiopia a form of extraterritorial status.

The term <u>nagadis</u> mentioned in the decree is used to designate a class of provincial traders who accompany, control, or are otherwise connected with, the caravans employed in collecting hides, skins, and other country produce for transportation to market centers, or with caravans which in turn distribute merchandise to villages of the interior. They are usually Ethiopians whereas the merchants and brokers are usually foreigners. There is no consistently accurate translation of the Ethiopian word nagadi.

I

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD
Minister and Consul General.

1 Enclosure.

File 610.23.
AES/sid.

Enclosure to Despatch No. 183 of October 30th, 1929, from Addison E. Southard, Minister and Consul General at Addis Abeba, Ethiopia.

REGISTRATION OF BROKERS AND REGULATION OF MERCHANTS AND NAGADIS.

TRANSLATION FROM THE FRENCH.

NOTICE.

In order to enforce the registration of brokers and the regulation of merchants and nagadis,* the Acting Minister of Commerce issues the following:

DECREE:

That within two months following the publication of the present notice all brokers, merchants and nagadis must conform with the following requirements:

SECTION A. MERCHANTS & NAGADIS.

Article I.

Five days are allowed to all merchants to pay nagadis for goods delivered. This period begins on the day when the merchant takes possession of the goods. Merchants not paying nagadis within the prescribed five days shall be required to pay all the usual expenses of the nagadis, such as food, lodging and caravan maintenance. All protested cases shall be adjudicated, without appeal, by two arbitrators, one being chosen by either side.

Article II.

Nagadis from the interior are bound to sell and deliver goods only of proper marketable quality, free from foreign substances and packed in the usual manner, as a guarantee to the buyer of weight and quality. The purchased goods must be carefully verified by the purchaser at the time of delivery. The purchaser must declare his objections immediately. In cases of disputed selection, an expert shall be chosen by the two contestants in mutual agreement. Any nagadi violating the provisions of the present Article shall be punished by a fine equal to double the value fraudulently taken from the purchaser.

Article III.

For all disputes not covered in the preceding articles, each side shall appoint an arbitrator. In case

of

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*Nagadi: A native trader from the interior, accompanying, controlling, or otherwise connected with caravan trade.

of disagreement between the parties for the appointment of arbitrators, the Chief of the Customs, in accordance if necessary with the Consul or Consuls concerned, shall choose a super-arbitrator whose decision shall not be subject to appeal and shall be irrevocable.

Article IV.

In view of the ignorance of the nagadis, contracts and receipts must be drawn up free of charge before an officer in the Customs Service.

In each district and according to the needs of the market an officer shall be established for the purpose of executing contracts and receipts.

In cases of dispute between the merchants and the nagadis, no contract or receipt shall be valid unless the provisions of this Article are complied with.

SECTION B. BROKERS.

Article I.

All brokers must comply with the regulations for merchants. They must, moreover, be listed in a Register established for this purpose at the Office of Registration.

Article II.

In order to qualify for the above provided registration all brokers shall present to the Registration authorities a declaration signed by two wellknown merchants in the city and if necessary authenticated by the Consul of their nationality, in support of their integrity and good commercial reputation.

Article III.

The Registration Authorities shall collect a tax of ten thalers (MT$10.00) once only, for the license. All brokers in possession of this license shall be free to engage in their business.

Article IV.

Any broker dealing in skins, wax, coffee, etc., without prior registration, shall be liable to a fine of 25 thalers (MT$25.00). If the same person continues after such fine to make transactions without license, he shall be punished by a fine of 100 thalers (MT$100.00). For the third offense the fine shall be 200 thalers (MT$200.00).

Article

Article V.

That it is forbidden for brokers to undertake any brokerage operation when there is personal interest in the transaction. The initial violation of this prohibition shall render the offender liable to a fine of 10 to 100 thalers (MT$10.00 to MT$100.00). The second offense shall entail a fine of 100 to 500 thalers (MT$ 100.00 to 500.00), cancellation from the list of registered brokers and cancellation of further right to engage in brokerage. These penalties shall be enforced without affecting the amount of damages that might be due to the wronged party.

Article VI.

Brokers, in addition to the regular, legally required register prescribed for merchants, must keep a record book in which they shall take note of their operations. This book must be kept without erasure and must be initialled by the Brokers' Registration Office.

SECTION C. GENERAL PROVISIONS.

Infractions involving foreigners shall be established before the local authorities who shall take the necessary measures for the trial and judgment of the offender before the Commercial Section of the Special Tribunal (i.e., Mixed Court).

Commercial Section (of the Special Tribunal).

The Commercial Section of the Special Tribunal shall be presided over by the Director General of Customs, assisted by the consul of the offender and two experts. The experts, who shall be chosen from reputable merchants, shall sit only as advisors. Specialists, if necessary from the non-merchant class, may be chosen if needed for expert advice.

(The following penultimate paragraph appeared in italics, only in the French COURRIER D'ETHIOPIE, Addis Ababa: The enforcement of decree issued by the Ministry of Commerce shall be the duty of the local authorities, upon prior consent from the Director General of Customs for the agreement of the Consular Corps).

Fines shall be paid at the Commercial Section of the Special Tribunal at the conclusion of trial and through the usual channels of execution of judgment.

The Acting Minister of Commerce reserves the right to ulteriorly issue a decree for the regulation of weights, scales, etc.

Addis

Enclosure.

Addis Ababa.....*

THE ACTING MINISTER OF
COMMERCE.

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*Date omitted from BERHANENA SALAM, decrees appearing in that official Ethiopian organ being understood to take the date of publication. September 14th, 1929, was given by the French COURRIER D'ETHIOPIE.

DOCUMENT FILE

NOTE

SEE 884.5034/3 FOR #124

FROM Addis Ababa (Southard) DATED Oct.31,1929
TO NAME

1—1127

INDEX BUREAU
884.5034/5

~~REGARDING~~ enclosing translation of official Ethiopian notice and Decree requiring registration of all commercial or industrial firms or companies operating in Ethiopia.

NO. 124.

Addis Ababa, Ethiopia.

October 31st, 1929.

SUBJECT: Ethiopian Decree Requiring the Registration of Commercial Firms.

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

I have the honor to transmit herewith translation of an Ethiopian decree requiring the registration of all commercial or industrial firms or companies operating in Ethiopia.

One purpose of this decree, namely a desire of the Ethiopians to place local trade on a more regular and accurate basis than heretofore, is the same as that which mainly caused the issuance of the decree concerning the registration of brokers, etc., of which copy was transmitted with our Consular Despatch No. 123 of October 30th, 1929. Another purpose of this decree is revenue. The probable amount to be collected is not great but will perhaps be sufficient to be useful to the Ethiopian Government in its present status of insufficient cash income. Much of the income of this government is in agricultural and other produce which cannot readily be converted into cash because of the lack of roads or other

means

means of transportation suitable for bringing it profitably to railhead for sale to exporters and others.

The attached decree was submitted to the local Diplomatic Corps for prior discussion and approval. Any foreigner who violates its provisions can be penalized only through intervention and consent of the local Consul of the nationality involved. This means probably that a foreigner will seldom be penalized and that the decree will not be very actively enforced.

So far as is known to this office there are no local firms of American nationality which will come under the operation of this decree unless it be the local agency of the Singer Manufacturing Company which is operated by Greeks under the agency of the company at Khartoum and as to the legal national status of which we have not yet obtained ruling. The local agent has represented to this office that he is an American firm and we have asked him to present such documents as he may have in support of his claim. The matter will later be placed before the Department for a ruling.

Article seven of the attached decree refers to another decree of which copy was forwarded with our Consular Despatch No. 125 of October 30th, 1929.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD
Minister and Consul General.

1 Enclosure.

File 810.25.
AES/sid.

Enclosure to Despatch No. 184 of October 31st, 1929, from Addison E. Southard, Minister and Consul General at Addis Abeba, Ethiopia.

REGISTER OF COMMERCE.

TRANSLATION FROM THE FRENCH.

NOTICE.

For the enforcement of the Register of Commerce established by the Office of the Ministry of Commerce, the Acting Minister of Commerce issues the following

DECREE:

Article I.

Within two months following the publication of the present decree all commercial or industrial companies, merchants, and all persons engaging in commerce must register at the Register of Commerce, established for this purpose at the Ministry.

Article II.

Application for registration will be made in the prescribed manner and according to a formula which will be delivered at the Ministry. This application shall be signed by the registrant or other competent persons.

Article III.

The registration fee is a single tax of ten thalers (MT$10.00).

Article IV.

All changes in the name of a company must be communicated to the Ministry for correction of the original registration.

Article V.

Registration is compulsory on pain of a fine of 20 thalers (MT$20.00). This fine shall be raised to 50 thalers in the case of a second infraction. If the merchant for the third time refuses to register he shall no longer be considered in trade and may legally be prevented from carrying on his business.

Article VI.

New merchants establishing themselves in Ethiopia shall have a period of two months in which to register.

Article

Article VII.

The application of this decree is subject, with respect to foreigners, to the General Provisions (Section C) of the decree regarding brokers and regulating merchants and nagadis.

Addis Ababa, ...*

THE ACTING MINISTER OF COMMERCE.

---

*Date space left blank in the official NEGHANEHA SALAM, it generally being understood that decrees appearing therein take the date of publication. The French COURRIER D'ETHIOPIE gave September 14th, 1929, but September 19th, 1929, would appear to be official.

RECD

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa,
Ethiopia.

February 8th, 1929.

MAR 8 29

DEPARTMENT OF STATE
MAR 9 1929
NEAR EASTERN AFFAIRS

SOLICITOR'S OFFICE
MAR 19 1929
DEPARTMENT OF STATE

no distribution
KC

FOR DISTRIBUTION ..
To ..
Leg. U. A
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INDEX BUREAU

No. 134.

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The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to my Diplomatic Despatch No. 133 of February 4th, forwarding copies of decrees covering the registration in Ethiopia of commercial firms and referring in more or less general terms to the subject of court jurisdiction over foreigners in the country.

As indicated in the above mentioned despatch there has now been made available to me a discussion on the subject of "Jurisdiction Regarding Foreigners in Ethiopia" prepared by a British subject who is the

leading

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leading lawyer in Addis Ababa. Copies of the discussion are enclosed for the information and files of the Department.

Among the points made in the document attached are that the law is unwritten and that no written opinions are available. The law is, in effect, the practice of "custom". In the second paragraph of page two there is interesting comment on what constitutes murder. On page four is quoted Article 7 751.84F2 of the Franco-Ethiopian or "Klobukowsky" treaty from which has developed the present system of Consular Courts in Ethiopia. The last paragraph on page four states that the system of foreign Consular Courts has "been absolutely acquiesced in by the Ethiopian authorities". This statement does not meet my own findings that the Ethiopian Government objects to the indicated Consular jurisdiction. The incident cited to support the statement quoted is sufficiently accurate but arose out of what I would assume to be the ignorance and irritation of the Ethiopian magistrate. His attitude cannot be taken as representing that of the government. The Ethiopian Government realizes that a form of extraterritoriality is practiced, but I am yet unable to find definitely that such has ever been formally acknowledged or consented to from an authoritative Ethiopian official source.

Beginning on page five of the enclosure herewith the author presents a brief but informative discussion of

of the laws applied in the various Consular Courts functioning here. In the paragraph beginning at the bottom of page nine is the discussion of the Greek Consular Court presided over by an Honorary Greek Consul General who is a medical practitioner!! This is most interesting. It happens that the Greek gentleman in question is the personal physician (without diploma his rivals say) of both the Empress and King and allegedly their man Friday in the carrying out of projects which because of their character are better kept concealed.

CONFIDENTIAL

On page eleven various interesting points are raised in connection with His Majesty's court of law.

In the last paragraph on page twelve reference is made to the Swiss advocate appointed by the King in response to pressure from the local Legations to reform Ethiopian judicial procedure where it came into contact with foreigners. As the author states, this socalled legal adviser doesn't make much impression. He is a timid little man whose only purpose in life appears to be to please the Ethiopians and thus procure a renewal of his present three-year contract after which he says he will have saved enough to retire in comfort to his home in Switzerland. He apparently is not interested in Ethiopian judicial reform and is doubtless insufficiently equipped to accomplish much even if he were interested.

It

It is said that the main qualification which brought about his employment by the Ethiopian Government was his willingness to work for a comparatively small salary — stated to be the equivalent of US$4700 per annum.

The references on page fourteen to the disorders which prevail in the Ethiopian Special Court of Addis Ababa will be found entertaining and interesting. I can support the description from firsthand and personal observation. A contrast in the local method of conducting court is found in the description on page fifteen of His Majesty's sittings. The third paragraph beginning on this same page indicates further potential obstacles in the way of the obtaining of absolute justice in Ethiopia.

The Diplomatic Corps has now before it a proposal of King Tafari to reform this Special Court by the appointment of a European judge. His proposal, upon which the Corps has not yet taken formal action, appears to have as a principal aim the elimination of the Consular Court and of the Consul's present participation in the Special Court proceedings. This new project will be submitted to the Department within a few weeks.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

4 Carbon Copies

Received ...M.N.M...

1 Enclosure.

2 copies detached for notes W.V.W.

Enclssure to Diplomatic Despatch No. 134 of February 8th, 1929, from Addison E. Southard, Minister and Consul General at Addis Ababa, Ethiopia, on the subject of jurisdiction regarding foreigners in Ethiopia.

JURISDICTION REGARDING FOREIGNERS IN ETHIOPIA.

Since the first opening up of negotiations between European Powers and Ethiopia, attempts have from time to time been made to exempt foreigners from the jurisdiction of the Ethiopian courts, for the reason that the Abyssinian Law and Procedure was found to be, as it still is, absolutely unsuitable to the needs of foreigners.

An investigation of the Abyssinian system of law and procedure is beyond the scope of the present article, and I express no opinion as to its suitability or otherwise for the regulation of matters between Abyssinians; but it may not be out of place here to allude to one or two of its salient features, in order to show how absolutely at variance it is with accepted European ideas.

In the first place, the law being unwritten, it is very difficult to ascertain. By unwritten, I mean plainly unwritten, and not merely uncodified. It is true that an ancient law book, the Fata Negust, exists, but it is little referred to in practice, being written in the dead language Gez, which is known only to a limited number of priests. This work, which is said to be a translation of the Arabic work of Ibn el Assal, concerns itself largely with Ecclesiastical and Criminal Law, only a limited portion of Civil Law being covered, and Commercial Law being hardly referred to. It shows strong traces of the Mosaic Law, and possibly traces of the Code of Justinian. It is true that it has been translated into the current language Amharic, and an Italian translation also exists, but these translations are not widely diffused, and it may be said that apart from Ecclesiastical matters, this work is only referred to in capital cases.

Of recent years, proclamations (aouadjes) have from time to time been issued: these however refer for the most part to limited districts — mainly only the capital — and are chiefly of the nature of police or sanitary regulations. The proceedings in the higher courts are for the most part

carefully

carefully recorded; the records however are not indexed, and are not available for the use of the public, and hence cannot be regarded in the light of case law.

The law then may in practice be regarded merely as customary law, and like customary law in other parts of the world, it varies greatly from district to district, and is in many cases very hard to ascertain even by Abyssinians, let alone by foreigners.

To give one instance of the great divergence between the Abyssinian Law, and the law of any modern nation, it may be mentioned that in theory there is no distinction between the accidental and the intentional killing of a man. The sole question is: Did X kill Y? The motive is quite immaterial, and the killing must be paid for by the blood of the killer, or if the relatives of the deceased agree, by the payment of blood money. It is true that under the reign of the Emperor Menelik, and of the present enlightened Regent His Highness Ras Taffari, legal fiction has begun to make inroads on the law; but the law still remains, and the foreigner who accidentally runs over a man in his car, might fare badly, if subject to the jurisdiction of the ordinary courts.

Turning to the question of procedure, the rules of pleading would appear to be much more widely known (amongst Abyssinians) than the rules of substantive law. The court of first instance is however in the street. Time would appear to be no object either as regards the actual hearing of the case, or as regards the question of adjournments. The population being, at any rate as regards the lower classes, a moving one, living in houses rented frequently from day to day, the defendant is often chained to the plaintiff, in order that the latter may know where he is. Then too the judgment debtor, if he cannot pay, is handed over to his creditor, who, failing a guarantor, either chains him to his person, or chains him up in his house.

From this very brief note, one can understand the reason for the constant attempts that have been made by the Legations in Ethiopia, to exempt their subjects from the jurisdiction of the ordinary courts.

In the past several Treaties existed mentioning this question of jurisdiction, but it is unnecessary to refer to them in detail, as they have little interest for the lawyer, as it would appear that their

provisions

provisions, if worked at all, were worked through the diplomatic rather than through the judicial channel. The British Treaty of 1849 may be taken as a specimen. This Treaty provided that a British subject accused of a criminal offence was subject to the jurisdiction of his Consul; and further gave to the Consul jurisdiction in civil cases between his subjects, and between his subjects and other non-Abyssinians. This Treaty is no longer in force.

But until the signature of the French Treaty of 1908, it would appear that no Consular Courts were formally established in the country. It seems however that in practice, the various Consuls did decide cases between their subjects, and even by foreigners, non-Abyssinians against their subjects; but as far as I have been able to ascertain, the role of the Consul was rather that of arbitrator, agreed to by the parties in order to avoid the jurisdiction of the Abyssinian Courts, than that of Judge. It must be borne in mind that at this time the number of foreigners in the country was very limited, and probably for this reason such a system worked, without the inconveniences which one might anticipate.

As regards cases between Abyssinians and non-Abyssinians, even after the Treaty of 1908 right up to 1922, the procedure cannot really be termed judicial. Prior to 1908 mixed cases would appear to have been settled actually by diplomatic negotiation; later the practice grew up either as a matter of convenience, or as a purported fulfillment of the provisions of the Treaty, for a meeting to take place in a small room over the post office, between a representative of the Ethiopian Government, and of the Legation whose subject was concerned. At these meetings the parties were often not even present, having previously explained their case to the representative of their Government. The two representatives, really as advocates for the parties, discussed the question together, and endeavoured to reach a solution. If they were unsuccessful, the matter was referred more or less privately (at any rate there was no formal hearing of the case) to the sovereign, who gave the final decision. The result of this system is seen up to the present day, as the Abyssinian judge of the Special Court (set up in 1922) usually considers himself the advocate of the Abyssinian suitor, and hence the representative of the Legation is forced in the interests of his subject to take up a similar position.

Turning from the somewhat obscure question of history, I pass to a consideration of the present legal position.

At

Enclosure.

At the moment there are established in Addis Ababa some eight Consular Courts. The first formal Consular Court to be established was that of France, following on Article 7 of Le Traité d'Amitié et de Commerce signed at Addis Ababa on the 10th January 1908, between France and Ethiopia (commonly known as the Treaty of Klobukowsky). At present no country other than France has any Treaty in force with Ethiopia, dealing expressly with the question of jurisdiction; and hence the jurisdiction of the other Consular Courts, and the special jurisdiction relative to disputes between Abyssinians, and the subjects of Powers other than France, is derived either from these Powers having most favoured nation clauses in the Treaties which they may have with Ethiopia, or from the fact that the custom has grown up of all Legations in Ethiopia exercising with regard to their subjects powers similar to those granted to France by the Treaty.

Article 7 of the Treaty of 1908 is as follows:-

"Toutes les affaires de quelque nature qu'elles soient, criminelles ou autres, entre les ressortissants ou protégés français, relèveront désormais de la juridiction française, jusqu'à ce que la législation de l'Empire d'Ethiopia soit en concordance avec les législations d'Europe. - Toutes les affaires de quelque nature qu'elles soient, criminelles ou autres, entre les ressortissants et les protégés français et les sujets de l'Empereur, seront portées devant un magistrat abyssin siégeant dans un local spécial et qui jugera, assisté du Consul de France ou de son délégué. - Si le sujet abyssin est défendeur, il sera jugé suivant la loi éthiopienne. - Si le ressortissant ou protégé français est défendeur, il sera jugé suivant la loi française. - En cas de désaccord entre les juges, il sera statué en dernier ressort par le tribunal de Sa Majesté le roi des rois d'Ethiopia. - En cas de crimes ou délits commis, par les ressortissants ou protégés français, l'autorité territoriale usera de son droit de police pour la recherche et l'arrestation des coupables, à charge par elle d'en informer immédiatement le Consul de France et de les remettre entre ses mains."

Apart from the extension mentioned above with regard to foreigners other than French, this article has received in practice another important extension. In the case of disputes between foreigners (i.e. non-Abyssinians) of different nationalities, it has become customary for the Consular Court of the defendant to assume jurisdiction. That this has been absolutely acquiesced in by the Ethiopian authorities, is shown by the fact that in several cases I have heard the magistrat abyssin above referred to declare himself

incompetent

incompetent to judge a case between two foreigners of different nationalities, both being subjects or protégés of Legations in Ethiopia. //

Before passing to the consideration of the jurisdiction as regards disputes between Abyssinians and foreigners, a word may be said on the subject of the Consular Courts. These courts in principle follow the law and procedure of their proper countries, but an examination of the constitutions of the several courts shows that there is great variance in the degree of strictness with which the law concerned is applied.

France.

Following on the Treaty of 1908, Consular jurisdiction was set up in Ethiopia by the law of 16th November 1909, by the single article of which it is provided:-

"Les dispositions des lois et règlements concernant la jurisdiction des Consuls de France dans les Echelles du Levant et dans les Etats barbaresques, notamment celles de l'édit de 1778, pour la jurisdiction civile, et de la loi du 28 mai 1836, en matière correctionelle et criminelle, sont applicables aux Consuls de France en Ethiopia. Les consuls connaitront, conformément à ces dispositions, de toutes les affaires entre les ressortissants ou protégés français. Les affaires, de quelque nature qu'elles soient, entre les ressortissants et protégés français et les sujets abyssins, seront réglées conformement aux dispositions de l'article 7, alinéas 3 à 5, du traité du 10 janvier 1908."

The edict of 1778 and the law of 1836 applying to the Echelles du Levant are well known, and a detailed discussion of them here is therefore unnecessary. For present purposes it is sufficient to say that subject to the modifications contained in these two laws, the law applied in the Consular Court is the ordinary law of France; an appeal lying to the Court of Appeal at Aix en Provence. The Consul sits with two assessors, who, with him form the court.

Thus one sees that the law and procedure of this court are very clearly fixed. The court is in all cases bound to apply the French law. As will be seen from a comparison with some of the other Consular Courts, the Court has far less discretion than the Courts of some of the other nations. This rigidity,

whatever

whatever its advantages, has at least two disadvantages. The French law and procedure is somewhat cumbrous for a court which does not have the proper machinery for its working, which exists in France; and secondly in the case of French natives of a civilization below the European standard, the European law is not, it is submitted, always the most suitable.

Great Britain.

This court was constituted by the Abyssinia Order in Council 1913, and is regulated by the Rules of Court made under this Order, No. 1 of 1916, amended by No. 1 of 1922, and Nos. 1 and 2 of 1926. In general the law and procedure is that of British India, and not that of England, and this Indian law is applied to all British subjects, irrespective of what part of the Empire they come from; the only exception being in the case of questions of marriage, inheritance, or involving religious law or custom, the personal law of the individual is followed. As regards commercial and criminal matters, the Indian law broadly speaking resembles the law of England, the main difference for practical purposes being that greater portions of it have been codified than of the law of England.

Article 21 of the Order in Council however reads as follows: "No proceedings under this order shall be invalidated by any informality, mistake, or commission, so long as, in the opinion of any court before which any question arises, the essential requisites of law and justice have been complied with." And Article 22 gives a wide discretion to the court to apply the law "so far only as the constitution and jurisdiction of the courts acting under this order, and the local circumstances permit."

These articles give a wide lattitude to the court, and have been found in practice to work well, the decision of cases being far more rapid in this court, than in most of the other Consular Courts. The British Court is unique, in that appeal lies from the Consul to the Minister in his capacity of Consul-General, and not to the courts of the home country. It is true that there is a further appeal to the supreme court of the Empire, the Privy Council, but this may be neglected in practice, being only practicable in very large cases. A suggestion has been made of making the British Consular Courts subject to the Court of Appeal, Bombay — this might have the advantage in a few cases of correcting an erroneous decision,

since

since the court of the Consul-General is not of great value, the Consul-General often having less experience than his Consul of legal matters; but this advantage would be, in my opinion, greatly outweighed by the disadvantage of protracting litigation, and thus taking from the court its present leading merit. In the opinion of many people having practical experience of the working of Consular Courts in Ethiopia, the appeal out of the country, which exists in the case of all the other Consular Courts, is a distinct disadvantage, and tends to drag out unduly the administration of justice.

It may further be noted that by articles 124-130 of the Order in Council, not only subjects of other foreign powers, but also Abyssinians, are expressly empowered to sue in the court. As regards Abyssinians, this right is occasionally exercised, but I understand that in at least one case involving a large amount, the Abyssinian intending plaintiff was prevented by his Government from suing in the British Court, and was compelled to bring his action in the special Court.

The Consul usually sits alone, but in some cases must sit with two assessors. These assessors however can only give their opinion on the case, which opinion is not binding on the Consul, who alone gives judgment.

<u>Italy.</u>

The jurisdiction of this court appears to depend solely on custom, even as regards the home country, as I can trace no law expressly setting up a Consular Court in Ethiopia. No one Code of Law is applied in this court. The court in judging a case applies the law of the country from which its subject comes. Such a system would I venture to submit be unworkable, but for the fact that in practice its results are mainly seen in quarrels between natives — mostly Somalis, whether Italian, French or British subjects. As the Italian subjects who are traders are for the most part from Italy, commercial cases are usually decided by the law of Italy. In dealing however with native cases, this system has distinct advantages, for even in criminal matters the Court is able to apply the Code of Law, which has by the home Government been deemed most suitable for the individual concerned. In this connection I recall a case in the British Court, in which such a system would have been found most convenient. One British Somali murdered another. The law of British Somaliland contrary to the Indian Penal Code (and in fact to the laws of most of the British Empire) recognises blood money, which the murderer was willing to pay. The court however had no discretion in the matter, but had to sentence the accused to death, in con-

formity

formity with the Indian Law.

The Consul usually sits with two assessors, who with him form the court. Appeals lie to the appellate court of the country from which the subject comes. In the case of an Italian, the appeal is to Genoa. In the case of a colonial, it is to the court of the colony, and then following the colonial law, to the appropriate court in Italy. Thus the colonial subject apparently has one more appeal than the inhabitant of Italy.

Germany.

This court was established in 1908 by Imperial decree, applying the general Consular Law of 7th April 1900. The court is a court of the "Reich", and appeal lies to the Reichsgericht in Germany. The Consul sitting alone is competent to deal with all matters which are dealt with in Germany by the Courts of first instance (Amtsgerichte), and also with certain non-contentious matters. With two assessors, he is competent to deal with such matters as are dealt with in Germany by the courts of the districts (Landgerichte), and also with criminal cases, certain serious crimes being reserved for the courts in Germany. The law and procedure applied is that of the Reich in Germany, and certain Prussian laws.

Belgium.

This court has been established for some years, but rarely sits. Belgian law and procedure is followed, an appeal lying to Belgium.

United States of America.

The Legation of the United States has only recently been opened. The Consular Court has not as yet functioned. The law applied, is, I understand, the Federal Law.

Turkey.

This Court was opened in 1926, but is at present closed, I understand temporarily. Owing to the legal reforms in Turkey, it was not very certain what system of law was applicable to the court, which in fact rarely sat.

Greece

Has an honorary Consul-General in Ethiopia, who is a local medical practitioner. A Consular Court

is

is established, in which the Honorary Consul-General sits, usually without assessors. The law and procedure applied is in the main that of Greece, with an appeal to Athens. This court is the only Consular Court in Ethiopia held by a Consul not of the carrière. As the Greek community is one of the most numerous in Ethiopia, the inconveniences of a court presided over by a part time Consul are great. It is submitted that the establishment of Consular Courts presided over by an Honorary Consul, with his own private interests to attend to, militates against rather than aids the interests of the foreign community generally.

I pass now to the consideration of cases between foreigners and Abyssinians. The history of this matter has already been glanced at, and I commence therefore with the year 1922. In this year the Ethiopian Government decided to establish a recognised court, sitting at a fixed place, to deal with cases between Abyssinians and foreigners. The name given to the Court was the Special Court (Tribunal Spécial), the title of Mixed Court being carefully eschewed by the Government, who did not wish it thought that there was any analogy between this Court and the Mixed Courts of Egypt.

This court was provided with a President and a Puisne Judge, and with a totally untrained staff of interpreters, clerks, etc. For the convenience of the despatch of business, different days were allotted for the consideration of the cases affecting the different Legations. Italy was allotted Monday, Great Britain (which has a very numerous colony of Indians and Arabs) Tuesday and Friday, France Wednesday, Greece Thursday, and the other Legations Saturday. On each of these days the Consul concerned, or his representative, sits with the Abyssinian judges to form the court. It may also be mentioned that any foreigner not protected by one of the Legations in Ethiopia, is treated by the Ethiopian Government as an Abyssinian protégé. Any case affecting him and an Abyssinian is however dealt with by the judge of the Special Court sitting alone, and not by the ordinary courts of the country. If he and a foreigner, dependant on a Legation are affected, the case comes before the Special Court composed of the Abyssinian Judge and the Consul, as if he were an Abyssinian.

The difficulties arising from the Treaty may be divided into two classes, namely those arising from its interpretation, and those (more serious) arising from its very nature.

Taking

Taking the first class, the Treaty says: "Toutes les affaires ..... seront portées devant un magistrat abyssin ..... qui jugera assisté du Consul de France ..... En cas de désaccord entre les juges, il sera statué en dernier ressort par le tribunal de Sa Majesté le roi des rois d'Ethiopie." According to the former Abyssinian contention, the function of the Consul was only to be present at the hearing, and he had no right to take part in the proceedings, or to agree or disagree with the judgment. When faced with the phrase, "En cas de désaccord entre les juges" which showed clearly that the Consul was a judge, the Ethiopian Government replied that "les juges" meant the Abyssinian President and Puisne Judge. To this reply was made that the Treaty said "un magistrat abyssin", and not two; and many Consuls refused to sit if both the Abyssinian judges were present. This point may I think be now regarded as settled definitely in favour of the contention of the Legations, that one Abyssinian Judge and the Consul form the court.

As regards the further consideration of the case in the event of the Abyssinian Judge and the Consul not being in agreement, three points arise. In purely Abyssinian cases the highest court of the Empire is the Grand Chillot, presided over by the sovereign in person (at the moment by His Highness Ras Taffari as Regent for the Empress). This court is not only an open court; in it any member of the public, and still more any person of importance, has the right to express his opinions of the important chiefs and judges, and last of all of the sovereign, who gives the final word. It is therefore apparent that cases in Ethiopia are judged in the presence of the assembled people, and from the several expressed opinions, a good idea can be gathered of the law to be applied, which as has already been said is mainly custom. Whatever his legal rights, the sovereign in such a court, would experience difficulty in deciding a case entirely against expressed public opinion. Such a system therefore, whatever its demerits, has the advantage of acting as a check on arbitrary action. When His Highness, after the Constitution of the Special Court in 1922, commenced to sit formally to decide cases affecting foreigners, he sat sometimes more or less privately, and not in his Grand Chillot. It was then considered by some people that the words "par le tribunal de Sa Majesté" referred clearly to the Grand Chillot, as this was the only sovereign court, which existed. An examination of the Amharic

text

text of the Treaty showed however that therein the word "tribunal" was ommitted. The point has never been formally raised; however at the present time a via media has been followed. His Highness sits with certain chiefs and important persons, who can express their opinion on the case, but without the native public. The court is however open in the sense that any person particularly wishing to do so can attend.

Passing to the second point of interpretation, according to the view of most of the Legations, the proceedings before His Highness are not an appeal. If the Abyssinian Judge and the Consul cannot agree, there is no judgment, and the case goes before His Highness for argument and decision. This view is strengthened by the fact that in the Special Court no judgment is read out in open court. The Abyssinian Judge does in fact write a judgment, which he sends to the Consul, who returns it marked "Agreed" or "Disagreed", with his further remarks if he thinks fit. His Highness however takes strictly the view that the proceedings are an appeal; that the opinion of the Abyssinian Judge is a judgment, and that the disagreement of the Consul merely opens the road for his subject to appeal. All cases before His Highness are therefore argued as an appeal from the judgment of the Abyssinian Judge. As stated above, many Legations do not accept this point of view, but so far as I am aware the matter has not been pressed diplomatically. It may be added however, that as the strict differences in pleading which exist in Europe between appeals, and cases de novo, do not exist in Ethiopia, the point is more of theoretical than of practical importance from the point of view of the litigant.

The last point of interpretation goes to the very root of the Treaty. After the words "assisté du Consul de France ou de son délégué", it is laid down:"Si le sujet abyssin est défendeur, il sera jugé suivant la loi éthiopienne. Si le ressortissant ou protégé français est défendeur, il sera jugé suivant la loi française." Then follow the provisions for the "cas de désaccord entre les juges." From this it is clear that in the Special Court, the law to be applied is the law of the defendant. What law however is to be followed in the proceedings before His Highness? Logically, whether the proceedings before His Highness are a hearing de novo, and still more if they are an appeal from the Special Court, the law to be applied should also be the law of the defendant. This is the point of view of the Legations. His Highness however does not seem to adopt this point of view,

and

and although as far as I am aware he has never formally stated that he is not bound to follow the law of the defendant, in many decided cases he has certainly made no attempt to do so, but has decided the case presumably according to Ethiopian law, although the defendant was a foreigner. When the foreigner is plaintiff there is no difficulty, as according to the Treaty Ethiopian law is then to be followed. But cases against foreigners are quite as numerous as cases by them; and as in any case of importance it is rare to find agreement between the Abyssinian Judge and the Consul, it is vital if the Treaty is to be worked at all, that in proceedings before His Highness the law of the defendant should be applied. It is true that His Highness must have considerable difficulty in ascertaining the law of the defendamt, even if he were willing to apply it, as will appear from the following remarks.

We come now to the very great difficulties which arise from the very nature of the Treaty. These for the most part come from the provision that the law of the defendant is to be applied.

We have already seen that eight Legations or Consulates exist in Addis Ababa, all of whom are liable to have cases in the Special Court. Even if we eliminate Germany, Belgium, Turkey and the United States, which have a small amount of business, we see that the Judge of the Special Court should be acquainted with the law of British India, France, Italy (and query all its colonies) and Greece, as well of course with the law of Ethiopia —a formidable undertaking for a highly qualified international jurist, and quite impossible for the ordinary Abyssinian, who has no legal training in any foreign law, and has merely a smattering of his own customary law. The Consul it is true also sits in the court as judge — he naturally is a diplomat, and if he has any knowledge of the law of his country, it is usually of a theoretical rather than of a practical nature. Then too, as already mentioned, the idea still persists of the Judge and the Consul being advocates for their respective Parties, and therefore the Judge is by no means ready to accept the Consul's version of his law. In order to facilitate matters, the Ethiopian Government has recently appointed a Swiss advocate to attend the court as legal adviser. His functions have never been clearly defined, but it was thought that they might be to advise the Judge on points of foreign law. Possibly he does so advise, but it does not appear that the Judge pays much attention to his advice.

Turning

Turning to the proceedings before His Highness, there is no one present to advise on points of foreign law, as His Highness sits as sole judge, there being no question of the Consul sitting with him. The advice of the legal adviser of the Special Court is not, or should not be available, as he has presumably already given his advice to the Judge of the Special Court. Hence if His Highness were willing to apply the foreign law, it is difficult to see how he is to ascertain it, and no expert witnesses on foreign law are available in Ethiopia. It may be this question of the law of the defendant being applicable, which has lead His Highness to hear foreign cases otherwise than in his Grand Chillot, which court, however suitable for the proper decision of a case according to Ethiopian law, is entirely unsuitable to consider any question of foreign law.

Such are the difficulties which arise in applying the substantive law of the defendant, but these difficulties become even more formidable, when we come to consider the Law of Procedure. What is the procedure to be followed in the Special Court, and in proceedings before His Highness? Is the procedure to change according to the nationality of the defendant, or is it to remain constant, and if so, whatis to be the constant procedure? It is unnecessary to argue the importance of this matter, but one illustration may be given. The British Law regarding the hearing of witnesses is totally different not only from the Ethiopian Law, but also from the law of most European nations. It is in connection with this question of witnesses that I have seen the question of procedure arise most often. So far no definite solution has been reached, but the custom has grown up of following more or less certain rules of procedure remotely based on the French system. These rules have practically no resemblance to the Abyssinian system of procedure, and curiously enough it is rare that the Abyssinian judge even argues that the Abyssinian system should be followed, even though an Abyssinian be the defendant. The reason for this is probably that soon after the constitution of the Special Court, some draft rules of procedure, based on the French system, were made by a French Legal Adviser to the Ethiopian Government. These rules were printed, but were never put into force. In the absence of anything better they have however been followed to a certain extent for reasons of convenience. For some time past there has been some discussion of proper rules of procedure being issued. Such rules, if reasonable, would probably

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be accepted without difficulty by the Legations, as it is obvious to all that the law of the defendant is not workable, at any rate as regards procedure. So far however, no such rules have appeared.

It is probably largely due to this absence of procedure that the greatest disorder prevails in the Special Court, and its working is absolutely unsatisfactory alike to foreigners, and to Abyssinians, who complain bitterly of the introduction of this unsatisfactory "foreign justice"! The court sits in a room entirely inadequate to the number of persons who habitually attend. Hence there is much disorder and discomfort at any rate for Europeans, who often suffer from lack of air. No proper place is provided for taking notes etc. All the spectators talk, more or less loudly, unchecked, except for an occasional feeble protest from the Judge. The parties concerned in a case (or their advocates) stand before the court, and plead. It is rare however that any person can speak for as much as ten minutes, without interruption from some party to another case. If this other case promises to be more interesting than the first, the Judge often proceeds to hear it, leaving the parties to the first case still pleading. A third or fourth case may be commenced in this way, to say nothing of other interruptions such as the signing of orders, reading of letters, or chats between the Judge and any important person who may happen to enter the court. The parties accompanied by their own Amharic interpreter plead in any language they like, but court interpreters exist for anyone who pleads in French. The proceedings are recorded in Amharic in pencil, and are then copied into a book in ink. The recording of these pleadings is so inaccurate, that the experienced pleader repeatedly breaks off his argument, in order to ensure that what he says is being written down, for if he fails to do this, he may well find that the recording clerk, being engaged in some personal conversation, has neglected to write down anything at all. Cases once commenced usually drag on for months or even years, as no attempt is made to call cases in the order of the roll, the idea of the court being apparently to commence as many cases as possible, and then to forget them. Finally after a lengthy interval, the pleadings are declared closed, and the Judge, who usually is not the judge who heard the bulk of, let alone who commenced the case, gives his written judgment to the Consul, based on the written record of the proceedings! For this efficient administration of justice a court fee of 3% on the sum in dispute irrespective of amount is exacted!

Leaving

Leaving the Special Court, it is refreshing to consider the order which prevails in the court of His Highness. His Highness sits at a table at the top of a very large room and any chiefs or judges called by him sit on the floor on each side. The parties stand before him, and plead their case, without interruption except from His Highness. There is no conversation in the court, and no intervention by any other parties, who would be speedily ejected if they dared to interrupt. The proceedings are carefully recorded — but in pencil, being recopied later. His Highness usually reserves judgment.

Orderly as are the proceedings in this court, and although they are an enormous improvement on those of the Special Court, they are open to many objections. In the first place His Highness is the sole judge, and has no one to advise him as to foreign law, even if he were willing to apply it. Then the judicial side of the matter apparently ceases after His Highness has reserved judgment. The litigant has no right to approach His Highness direct to urge him to give judgment, and can only do so, if a foreigner, through his Legation, the matter therefore becoming a more or less diplomatic one. The judgment is often given months after it has been reserved, when the facts are not fresh in the mind of the court. This is probably due to the Abyssinian custom of the judge giving more or less general instructions to an underling to write the judgment, which he does after having put the matter off for as long as possible. Further there is no obligation for judgments to be motivé, with the result that important matters raised by the parties are often completely ignored. No application can be made to His Highness to revise his judgment for any reason.

But the most serious objection of all to this system is that His Highness is often officially interested in the case which comes before him as judge. Like most sovereigns in primitive countries, His Highness takes a very active part in the government of his country; he is in fact his own Minister of Foreign Affairs, and further gives instructions to many other departments on matters which may arise, even concerning comparatively unimportant matters. The Government departments in Ethiopia are somewhat arbitrary in their actions, and hence cases against the Government are not at all uncommon. These, if

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a foreigner is concerned, are pleaded in the Special Court, and come later before His Highness, who may have already dealt with the matter in an executive capacity. With the best will in the world, it is very difficult for any judge to be impartial under such circumstances; and it is therefore most important that when the time comes for reforms, this matter should not be overlooked.

The above sketch gives a slight idea of the methods of dealing with cases affecting foreigners in Addis Ababa, the capital of Ethiopia. A word is necessary concerning cases in the rest of the country. At Harrar and Diré Daoua there are Consuls of certain powers, who protect the interests of their subjects, and often by arrangement the subjects of other powers, not locally represented. These Consuls sit with the Governor of the Province, Dejmatch Imaroo, and form a Special Court, the case coming later if necessary to Addis Ababa before His Highness Ras Taffari. This court apparently works well, and an agreement is often reached between the Governor and the Consul. Consuls of various powers exist in other parts of the country, but for the most part they have few subjects in their districts, and do not form formal courts. Very often they manage to arrange disputes with the local chief in the old way; in other cases the matter is sent up to the Special Court at Addis Ababa.

To sum up, in Ethiopia all cases between foreigners dependant on a Legation are dealt with by the Consular Courts. Although it is possible to criticise these courts, especially in some cases as regards over formality of procedure, on the whole they work well, and for the most part administer substantial justice.

But as regards cases between protected foreigners and Abyssinians or non protected foreigners, the matter is far otherwise. The Special Court at Addis Ababa is very unsatisfactory — in fact it can hardly be called a court at all. One cannot help being struck by the difference between this court, and the court of His Highness Ras Taffari on the one hand, and the Special Court of Dejmatch Imaroo at Harrar on the other. Probably the difference between the two Special Courts is due to the fact that Dejmatch Imaroo is a very big and enlightened chief, with wide experience of native courts, whereas up to the present the Abyssinian Government have usually selected a comparatively unimportant person as Judge of the Special

Court

Court at Addis Ababa. The result has been that such a Judge commands little respect from the Abyssinians, and hence probably the disorder which is the rule rather than the exception in this court.

In fairness however to the Special Court at Addis Ababa, it must be remembered that its volume of business is probably a hundred times greater than that of the court at Harrar. It is this enormous increase in business in recent years, with which the Ethiopian Government has failed to grapple. It is only of recent years that Abyssinians have commenced to engage in commerce, and thus to swell the business of the Court. The number of concessions etc. granted by the Government increases yearly, and this also tends to increase the work of the court. The Ethiopian Government are well aware that the Special Court at Addis Ababa is not satisfactory — one has only to compare it with the ordinary native courts to see this — but they seem to be puzzled as to why the problem has of recent years become acute, although the French Treaty has been in force since 1908.

Still it is essential that the problem be solved. It is not seriously disputed that the ordinary native courts are absolutely unsuitable at the present time to deal with cases affecting foreigners; and it is also obvious that even if an attempt is made to modernise and to codify the Ethiopian Law and Procedure, many years must elapse before the completion of this task. For the time being then the Special Court is a necessity but it is practically useless in its present state. It is essential that it be reformed, and made to work like a court of law. There is nothing in this affecting Ethiopia's sovereign rights; there is nothing involving political questions, which might hinder cordial cooperation on the part of the Legations. It is simply a question of establishing a court to work more or less like a court in any other civilized country. Ethiopia has recently emerged from the seclusion in which she has lived for centuries; she has opened wide her doors to foreigners; she has taken her place in the League of Nations. Surely then it is not too much to ask that she should bring her administration of justice, at any rate as affecting foreigners, more or less into line with that of the other members of the League.

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DOCUMENT FILE

NOTE

884.5034/1 #133

SEE ..... FOR .....

FROM Abyssinia (Southard) DATED Feb.4,1929

TO NAME

1—1127 G P O

884.5034/2

REGARDING: Consular Court procedure governing litigation between foreigners residing in Ethiopia, and the special Ethiopian court for suits between foreigners and Ethiopians. Copy of decree requiring registration of commercial firms, to which objection has been taken as violative of procedure for Consular intervention.

Wh

Addis Ababa,
Ethiopia.

February 4th, 1929.

No. 135.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith, as Enclosure A, the translation of a decree of the Ethiopian Ministry of Commerce requiring the registration of all commercial firms operating in Ethiopia and providing direct penalties for failure so to register.

This decree was issued last August but was not at the time transmitted to the Department as I have been awaiting developments as to its effect. It has had no effect with foreign firms which have in

next

most instances been advised by their respective Legations or Consulates not to register. The main objection to the decree is that it provides for the direct infliction by the Ethiopian Government of penalties on foreigners.

Foreigners residing in Ethiopia come under a Consular Court procedure in litigation among themselves, the Consul of the defendant having jurisdiction. A foreigner sued by an Ethiopian comes before a special Ethiopian court in which the Consul of the defendant sits along with the Ethiopian judge. These special procedures for foreigners, thus briefly stated, are based mainly upon Article 7 of "Le Traité d'Amitié et de Commerce" signed at Addis Ababa on January 10th, 1908, between France and Ethiopia, and ordinarily known as the Klobukowsky Treaty. The treaty in question is presumably available in the Department's files. Article 7 has been quoted in previous reports from this office as, for instance, in the report entitled "French Concession for Ethiopian Economic Development" of September 21st, 1928.

The decree issued by the Ethiopian Ministry of Commerce provides, in the opinion of my colleagues, for the direct infliction of penalties on foreigners by the Ethiopian Government without Consular or other at present practiced intervention or procedure. They take the attitude that such de-

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parture from the Klobukowsky Treaty cannot be accepted. The Diplomatic Corps has discussed this question at one of its meetings but has taken no formal action. I have, of course, attended the meetings but have had little to say as this Legation and Consulate General has had no firsthand experience as applied to its own nationals in Ethiopia. No American firms are directly here in business (the Singer Sewing Machine Company operates from Khartoum) and as all the American citizens residing here are missionaries they have not been and are not likely to be parties to litigation. I, therefore, have had little to contribute to my colleagues in the way of discussion.

I am, of course, quite well informed on, and familiar with, the subject of extraterritorial jurisdiction and with Consular Court procedure and practice. During my incumbency of nearly two years at Jerusalem I frequently sat judicially two or three days of each week and heard a wide variety of cases. Also I have had firsthand observation of Consular court functioning in China and Persia. My study of the subject has been serious and fairly extensive.

There are numerous British, French, Italian, German and Greek nationals or protégés here. Most of the local Consular courts function with frequency,

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and the average Consul here spends an appreciable amount of time at the Special Court.

The foreign merchants of Addis Ababa have, through their Chamber of Commerce, drawn up a proposed substitute decree which is transmitted herewith as Enclosure E. Copies have been sent to the Ethiopian Government and to each of the Legations with a request for supporting action by the Diplomatic Corps. No action has yet been taken or intimated by the latter body. The substitute decree differs from the original one mainly in that it provides for the registration of foreign firms at their respective Consulates and takes out of the hands of the Ethiopian Government the direct penalization for nonregistration. With rare exception every commercial firm in Ethiopia is under foreign protection. Direct registration at the Ministry of Commerce would be practically nil because of the absence of any active commercial enterprise under strictly Ethiopian name or control.

My colleagues are of the opinion that there is an active tendency on the part of the Ethiopian Government, as evidenced by this and other proposed decrees, to drive an entering wedge, so to speak, behind Article 7 of the Klobukowsky Treaty with a view to its eventual denunciation. The whole situation of extraterritorial jurisdiction here impresses

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me as being more or less nebulous. The Ethiopians themselves do not fully understand the situation and its limitations and I have found no one of my colleagues who can present a clear cut exposition of it. That a form of extraterritoriality exists appears definite. The Ethiopians, when the question arises, say that they have never consented to it. But they have so far offered no sustained objection to its operation. The question is coming more and more to the front and it is probable that not much more time will elapse before there results friction of sufficient strength to bring about the opening of formal discussion and negotiations for something to take the place of what amounts at present to a modus vivendi and no more.

Because of the nebulosity of the situation, as already suggested, and because of the absence of strictly American instances, I offer at this time no specific comment as to the tendency suggested in the opening of the paragraph just above. Nor have I a definite basis yet upon which to ask for instructions as to the attitude I should take in meetings with my colleagues. Such instructions will, of course, in due time be requested but I deem it better to wait for something more tangible upon which to base them.

The present report is mainly for the purpose of keeping the Department informed of the trend of events.

I

I expect shortly to have available a discussion on the general subject regarding jurisdiction over foreigners in Ethiopia, prepared by the leading foreign attorney in Addis Ababa, of which copies will be prepared for transmission to the Department in connection with the present and future reports.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

2 Enclosures.

File No. 610.23
AES/sid.

A copy of the signed original.

Enclosure A to Diplomatic Despatch No. 148 of Feb-
[redacted]
Addis Ababa,
[redacted]

TRANSLATION.

DECREE ENFORCING THE REGISTRY OF COMMERCE.

His Excellency the Minister of Commerce, for the purpose of putting into effect the Registry of Commerce established at the Bureau of the Ministry of Commerce:

Decrees

I

That within one month after the publication of this notice all individual merchants and all commercial companies must enter their names in the Registry of Commerce established for that purpose at the Ministry of Commerce.

II

That a primary registration is required of every merchant having a main establishment, a branch house or an agency in Ethiopia.

III

That any changes or modifications having a direct bearing upon the main facts included the registration proper shall be added as modifications or supplementary comment.

IV

That the application for registration shall be made out in duplicate on a form issued by the Bureau of the Registry of Commerce to those concerned.

The declaration shall be signed by the merchant, or, if it concerns a company, by all of its managers or directors.

V

That for each registration the sum of ten thalers (MT$10.00) will be collected. For a commercial company having a capital over MT$

10,000,

10,000, there shall be an additional fee of ONE piaster for each thousand thalers of capital in excess of that amount.

VI

That any infraction of the requirement for entry in the Registry of Commerce shall involve a fine of from MT$30.00 to MT$200.00.

VII

That involuntary inaccuracies will involve no penalty.

That inaccuracies, voluntary or made in bad faith to evade the requirements connected with registration, shall be punished by a fine of from MT$100.00 to MT$8,000.00.

VIII

That the Bureau of the Registry of Commerce holds at the disposal of interested parties the laws and regulations concerning the Registry of Commerce.

Addis Abeba, August 28th, 1928.

MINISTER OF COMMERCE:

Nagadras Makonnen.

[redacted]

TRANSLATION.

SUBSTITUTE MEASURE FOR THE DECREE CONCERNING THE REGISTRATION OF COMMERCIAL FIRMS.

1. Within one month following the publication of the present Decree, all commercial and industrial institutions, traders and every person engaged in commercial exchange must register themselves in the Commercial Registry established for that purpose at the Ministry of Commerce.

2. The application for registration shall follow the form prescribed and according to the formula to be delivered at the Ministry of Commerce. This request shall be signed by the person or persons competent to do so.

3. The registration fee is fixed at ten thalers (MT$10.00). There shall be no other tax in this connection.

4. All changes in the organization of a commercial company shall be communicated to the Ministry of Commerce for appropriate correction of the original registration.

5. Registration shall be compulsory. Foreigners shall make their registrations at their respective consulates. In cases of infraction the Government will take the necessary measures with regard to its own nationals and will refer such cases of infraction on the part of foreigners to the consulates concerned.

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SOLICITOR'S
AUG 15
DEPARTMENT OF STATE

LEGATION OF THE UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

April 10th, 1929.

Cable to Addis 8/9/29 PHA. EC.

AUG 10 1929

884.05/3

NOTE INDEX BUREAU

FOR DISTRIBUTION - CUSTODIAN
To the Diplomatic
and Consular Officers
of the U. S. A.

DEPARTMENT OF STATE
MAY 13 1929
DIVISION OF
NEAR EASTERN AFFAIRS

No. 179.

884.05
Note
784.041

The Honorable

The Secretary of State,

Washington.

Sir:

4.5034/1 84.05/1

I have the honor to refer to the Legation's Despatches Nos. 133 and 134 of February 4th and 8th, 1929, respectively, on the subject of court jurisdiction governing foreigners in Ethiopia.

The enclosure with Despatch No. 134 gives as good and accurate account or picture of present procedure and facilities as appears available. The present Special Tribunal or Court, provided for cases to which foreigners are party, has not worked satisfactorily. It is headed by an Ethiopian and there appears to be no available Ethiopian with a sufficient knowledge and appreciation

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tion of Occidental Law, and particularly of Occidental court procedure and integrity, to enable him to conduct the court in a manner even reasonably satisfactory. Custom, personal opinion, and prejudice rather than law inspire decisions. Ethiopian court officers appear quite unable to keep satisfactory records of such cases and to execute judgments with any reasonable degree of promptitude or efficiency. A change is mandatory, particularly for the foreign business interests which are growing in Ethiopia.

The Dean of the Diplomatic Corps about a year ago on behalf of his colleagues took this matter up with King Tafari. The latter agreed that a European judge should be appointed for the Special Tribunal. He made, however, a number of oral reservations of which an important one had to do with the entire elimination of the foreign Consuls who now sit in the court, according to circumstances, to protect the interests of the national concerned and sometimes to advise. To this the Diplomatic Corps has been unable to agree for obvious reasons.

A socalled "Preliminary Proposal for the Special Tribunal," which is in effect a counter-proposal although not so designated because no formal written proposal has been made by the King, has been drawn up in French by the Diplomatic Corps. The proposal, which does not impress me as particularly well written,

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was originally composed by the French Minister and then changed in various ways as the result of deliberation and discussion by his colleagues. A number of suggestions were made from this Legation. The original proposal was in French and the discussions have been in French. A not too good translation of the proposal has been made in this office and is, together with the original French, transmitted herewith.

It was agreed among the members of the Diplomatic Corps that we submit this proposal to our respective governments for instruction, after which it would be placed before the Ethiopian Government. My purpose in transmitting it is, therefore, to request the Department's instruction. Approval is recommended as the Legation from local viewpoint can at this time see no important argument against the proposal. If accepted by the Ethiopian Government it would certainly greatly improve the position and obtainable results for foreigners (particularly business men) who voluntarily or involuntarily find themselves involved in litigation with Ethiopians. It will be invaluable to the trading interests of the country. This proposal represents, in the opinion of the Diplomatic Corps, the most that the Ethiopian Government may be expected to concede at the present time. My colleagues all anticipate approval by their respective governments.

In

In Article one of the proposal mention is made of the Franco-Ethiopian Treaty of January 10th, 1908. 751.842
This document is known also as the Klobukowsky Treaty and has usually been so referred to in the various despatches from the Legation on this and related subjects.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

2 Enclosures.

Enclosure to Despatch No. 179 of April 10th, 1929, from Addison E. Southard, Minister and Consul General at Addis Ababa, Ethiopia.

AVANT PROJET DE TRIBUNAL SPECIAL.

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Du Personnel Judiciaire.

1. Le Tribunal Spécial institué en vertu de l'article 7 du traité Franco-Ethiopien du 10 Janvier 1908 sera composé d'un seul juge assisté du personnel judiciaire ci-dessous indiqué:

2. Ce juge sera un magistrat appartenant à la carrière judiciaire d'un des cinq pays suivants: Danemark, Norvège, Pays Bas, Suède ou Suisse.

3. Il sera demandé au Gouvernement de celui de ces Etats, qui sera choisi par le Souverain.

4. Il sera nommé pour cinq ans et sera inamovible pendant cette période.

5. Son engagement ne pourra pas être renouvelé et son successeur devra être demandé à un des autres pays désignés ci-dessus.

6. Il devra connaître la langue française suffisamment pour rédiger ses jugements dans cette langue et suivre les débats.

7. Ses appointements seront de £ sterlings 150 par mois. Il aura droit au bout de deux ans de demie de séjour, à un congé de trois mois, non compris la durée du voyage. Ses frais de déplacement d'Addis-Abeba à la capitale de son pays d'origine lui seront versés par le Gouvernement Ethiopien. Il conservera ses appointements pendant la durée de son congé.

8. Le Gouvernement Ethiopien demandera également à l'un des cinq Etats désignés ci-dessus, autre que celui qui aura désigné le Juge Spécial, la désignation d'un juge suppléant.

9. Le Juge suppléant sera nommé pour quatre ans et sera inamovible pendant cette période. Son engagement ne pourra pas être renouvelé et son successeur devra être demandé à l'un des autres pays désignés ci-dessus. Il devra remplir la condition de l'article 6.

10. Les appointements du Juge suppléant seront de £ 120 par mois. Il n'aura pas droit à congé pendant cette période.

11.

11. Ces juges seront assistés d'un interprète éthiopien, désigné par le Gouvernement de Sa Majesté.

12. Ils seront assistés d'un greffier appartenant à la carrière judiciaire d'un des pays désignés ci-dessus, nommé par le Gouvernement Ethiopien sur la présentation de son propre Gouvernement. Le greffier sera nommé pour 3 ans et son contrat pourra être renouvelé. Il devra connaître la langue française dans les mêmes conditions que le juge. Il sera assisté d'un interprète ethiopien. Ses appointements seront d'au moins Ł 70 par mois. Il aura droit à un congé payé de quatre mois tous les trois ans, non compris la durée du voyage.

13. Un sous-officier appartenant à la gendarmerie d'une des cinq nations indiquées ci-dessus sera chargé de l'exécution des sentences rendues par la Cour Spéciale d'Appel et par le Juge Spécial. Il aura le titre de Gendarme-Chef. Il aura le droit de requérir la force publique éthiopienne, en cas de besoin, pour l'exécution des sentences et mandat dont il sera chargé. Ses appointements seront d'au moins Ł 40 par mois. Il aura droit à un congé payé de quatre mois tous les quatre ans, non compris la durée du voyage.

De La Competence.

14. La compétence du Juge Spécial s'étendra, en matière civile et commerciale, à toutes les causes dans lesquelles un Ethiopien (y compris les administrations publiques et les personnes civiles et morales) et un étranger (y compris les personnes civiles et morales) seront parties, soit comme démandeur, soit comme défendeur.

15. En matière pénale, ce juge sera compétent pour les délits et les contraventions.

16. La loi appliquée serait (1) En matière civile et commerciale, le Code Egyptien Mixte,

17. (2) En matière de délits, le Code Pénale Suisse.

18. En matière de contravention, les lois et réglements éthiopiens qui auront été acceptés par les représentants des puissances accréditées en Ethiopie, comme applicables à leurs nationaux.

19. Il jugera en dernier ressort:

Toutes les affaires civiles et commerciales au dessous de 5,000 thalers.

20. Tous les délits n'entrainant pas une peine supérieure à un an de prison ou à une amende de 2,000 thalers.

21. Toutes les contraventions.

22. En cas d'empêchement le juge spécial pourra être remplacé par son suppléant.

23. La définition des crimes, délits et contraventions sera celle du Code Suisse.

Des Crimes.

24. Les crimes commis par un étranger vis-à-vis d'un Ethiopien, ou par un Ethiopien vis-à-vis d'un étranger, seront jugés par un Tribunal qui sera réuni, chaque fois que besoin en sera, par le Souverain. Celui-ci désignera pour en faire partie trois personnes choisies selon les cas exposés ci-après.

25. S'il s'agit de juger un crime dont estaccusé un Ethiopien, ces trois personnes seront deux éthiopiens nommés par le Souverain, et le juge du Tribunal Spécial. Celui-ci aura la présidence.

26. S'il s'agit de juger un crime dont est accusé un ressortissant étranger, ces trois personnes seront le Juge du Tribunal Spécial, Président, le Consul dont l'accusé est ressortissant, et un Ethiopien nommépar le Souverain.

27. La loi appliquée sera celle du pays de l'accusé.

28. Les fonctions du juge d'instruction seront remplies par le juge suppléant.

29. Une prison spéciale comportant le nombre de cellules jugées necessaires, sera mise à la disposition du juge spécial comme du juge d'instruction de la Cour d'Appel Spéciale. Les mandats de dépôt ou les levées d'écrou seront signés par le Juge d'instruction.

Appels.

30. Les appels contre les sentences rendues par le Tribunal Criminel Spécial, composé comme ci-dessus, et contre les jugements du juge spécial, dans les cas où ils en sont susceptibles, seront portés devant une Cour Spéciale, composée par le Souverain et comprenant:

31. Deux fonctionnaires du Gouvernement Ethiopien, dont l'un sera désigné par le Souverain comme Président de la Cour d'Appel.

32. Deux étrangers désignés par les Représentants des Puissances accréditées en Ethiopie, un de ces juges devant appartenir à la nationalité de l'étranger en cause, ou à la nationalité du Représentants dont cet étranger est ressortissant.

33. Un notable de nationalité éthiopienne (si le défendeur ou l'accusé est éthiopien) ou étrangère (si le défendeur ou l'accusé est étranger). Le nom de ce notable sera tiré au sort sur une liste établie chaque année d'accord entre le Souverain et le doyen du Corps Diplomatique.

Procédure.

34. La procédure en matière civile et commerciale, et en matière de contravention sera la procédure en vigeur devant les Tribunaux Mixtes Egyptiens.

35. En matière criminelle et correctionelle, la procédure sera réglée une premiere fois d'avance, et par écrit, pour chaque nature d'affaire, par le Juge du Tribunal Spécial qui devra la communiquer aux parties.

36. Ce réglement fera jurisprudence pour chaque cas analogue.

37. Le juge s'inspirera des régles en vigeur en Europe en les simplifiant dans la plus large mesure possible.

38. Seront obligatoires les régles suivantes:

39. En dehors du cas de flagrant délit, aucune arrestation ne sera faite sans un mandat d'arrêt signé du juge spécial ou de son suppléant.

40. En cas de flagrant délit, le délinquant sera arrêté par les autorités locales, qui le remettront aussitôt au Consul dont il dépend. Celui-ci le déférera dans le plus bref délai au juge spécial.

41. Le juge spécial procédéra à l'interrogatoire de l'accusé dans les 24 heures à partir de son arrestation ou de son arrivée à Addis-Abeba.

42. La citation à comparaître devant le juge devra comprendre le texte des articles dont l'application est requise, et devra êtreremis à l'inculpé au moins trois jours avant l'audience. Tout jugement devra être signifié au condamné, par l'intermédiaire du gendarme-chef, dans les trois jours au maximum après qu'il aura été prononcé.

43. Les jugements par défaut seront susceptibles d'opposition dans les dix jours de leur signification.

44. L'appel des jugements contradictoires devra être fait au greffe du Tribunal Spécial dans les 40 jours du prononcé du jugement.

45. La Cour Spéciale d'Appel devra être réunie pour le jugement de cet appel dans le mois qui suivra le dépôt de l'appel au greffe.

Tribunaux de Province.

46. Les Tribunaux Spéciaux fonctionnant dans les provinces (sauf pour Harar et Dirré-Daoua) continueront à siéger dans les mêmes conditions qu'aujourd'hui. Toutefois l'appel des causes jugées par eux sera porté devant le Juge Spécial et jugé par lui en dernier ressort, dans les limites de sa compétence telle qu'elle est definie des paragraphes 15 à 22.

47. Si l'importance de la cause dépasse les limites en question l'appel sera porté directement devant la Cour Spécial d'Appel.

48. Le Juge Spécial ou son suppléant devront se rendre deux fois par an au moins dans chacune des villes de Harar et de Dirré Daoua, pour y tenir une session dans les mêmes conditions qu'à Addis-Abeba, afin d'y juger les affaires en cours. Ils recevront à cet effet leurs frais de voyage et une indemnité de 10 thalers par jour.

49. En cas d'urgence, seulement les causes qui se présenteraient dans ces villes seraient jugées comme elles le sont actuellement, avec les conditions stipulées ci-dessus pour les Tribunaux de province en ce qui concerne l'appel.

Enclosure to Despatch No. 179 of April 10th, 1929, from Addison E. Southard, Minister and Consul General at Addis Ababa, Ethiopia.

PRELIMINARY PROPOSAL FOR THE SPECIAL TRIBUNAL.

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The Judicial Staff.

1. The Special Tribunal, instituted by virtue of Article 7 of the Franco-Ethiopian (Klobukowsky) treaty of January 10th, 1908, shall be composed of the judicial staff indicated below:

2. A judge who shall be a magistrate belonging to the judicial career of one of the following countries: Denmark, Norway, Holland, Sweden or Switzerland.

3. He shall be chosen by the Sovereign and shall be requested from the Government of one of these States.

4. He shall be appointed for five years and shall not be removable during this period.

5. His contract may not be renewed and his successor must be requested from one of the other countries above designated.

6. He must know the French language sufficiently to draw up his decisions in that language and to follow the pleadings.

7. His salary shall be 150 pounds sterling monthly. He shall be entitled at the end of a stay of two and a half years to a leave of three months, not including the duration of the voyage. His travelling expenses from Addis Ababa to the Capital of his native country shall be paid to him by the Ethiopian Government. His salary continues during the period of his leave.

8. The Ethiopian Government shall also request the designation of an assistant judge from one of the above specified States, other than that which shall have designated the Special Judge.

9. The Assistant Judge shall be appointed for four years and shall not be removable during this period. His contract may not be renewed and his successor shall be requested from one of the other countries above designated. He must fulfil the conditions of Article 6.

10. The salary of the Assistant Judge shall be 120 pounds sterling monthly. He shall not be entitled to leave during this period.

11.

11. These judges shall be assisted by an Ethiopian interpreter designated by His Majesty's Government.

12. They shall be assisted by a clerk belonging to the judicial career of one of the above mentioned countries, appointed by the Ethiopian Government on the presentation of his own Government. The clerk shall be appointed for three years and his contract may be renewed. He must know the French language in the same conditions as the judge. He shall be assisted by an Ethiopian interpreter. His salary shall be at least 70 pounds sterling monthly. He shall be entitled to a paid leave of four months once in every three years, not including the duration of the journey.

13. A non-commissioned officer belonging to the gendarmerie of one of the five nations above mentioned shall be entrusted with the execution of the sentences given by the Special Court of Appeal and by the Special Judge. He shall have the title of Chief Gendarme. He shall be entitled to assistance by Ethiopian public forces, in case of need, for the execution of the sentences or the warrants with which he shall be entrusted. His salary shall be at least 40 pounds sterling monthly. He shall be entitled to a paid leave of four months once in every four years, not including the duration of the journey.

Jurisdiction.

14. The jurisdiction of the Special Judge shall extend in civil and commercial matters to all the cases in which the parties shall be an Ethiopian (including the public administrations, civil and social institutions) and a foreigner (including civil and social institutions), either as plaintiff or as defendant.

15. In penal matters the authority of this judge shall cover all misdemeanors and infractions.

16. The law to be applied in civil and commercial cases shall be the Egyptian Mixed Code.

17. In criminal cases it shall be the Swiss Penal Code.

18. In matters of contraventions it shall be the Ethiopian laws and regulations which shall have been accepted by the representatives of the Powers accredited to Ethiopia as applicable to their subjects.

19. It shall judge without appeal:

All civil and commercial affairs involving sums up to five thousand thalers.

20. All criminal cases entailing penalties of not more than one year imprisonment or a fine of two thousand thalers.

21. All contraventions.

22. In case of inability to perform his duties the Special Judge may be replaced by his assistant.

23. The definition of crimes. misdemeanors and contraventions shall be that of the Swiss Code.

Crimes.

24. The crimes committed by a foreigner against an Ethiopian, or by an Ethiopian against a foreigner, shall be judged by a Tribunal which shall be assembled on each occasion necessary by the Sovereign. The latter shall designate as members three persons chosen as indicated below.

25. If it is a question of judging a crime of which an Ethiopian has been accused, these three persons shall be: the Judge of the Special Tribunal, presiding, and two Ethiopians appointed by the Sovereign.

26. If it is a question of judging a crime of which a foreign subject is accused, these three persons shall be: the Judge of the Special Tribunal, president, the Consul of the country of which the accused is the subject, and an Ethiopian appointed by the Sovereign.

27. The law applied shall be that of the country of the accused.

28. The functions of investigating magistrate shall be performed by the Assistant Judge.

29. A special prison containing the number of cells considered necessary shall be placed at the disposition of the Special Judge, as well as to the investigating magistrate of the Special Court of Appeal. The warrants of committment to or release from jail shall be signed by the investigating magistrate.

Appeals.

30. The appeals from the sentences given by the Special Criminal Tribunal composed as above and from the decisions of the Special Judge, in cases that are susceptible to appeal, shall be taken before a Special Court appointed by the Sovereign and comprising:

31. Two officials of the Ethiopian Government, one of whom shall be designated by the Sovereign as President of the Court of Appeal;

32. Two foreigners appointed appointed by the representatives of the Powers accredited in Ethiopia, one of these judges belonging necessarily to the nationality of the foreigner concerned or to the nationality representing the interests of the country of which the accused is a subject;

33. A notable of Ethiopian nationality (if the defendant or the accused is an Ethiopian) or of foreign nationality (if the defendant or the accused is a foreigner). The name of this notable shall be drawn by lot from a list established every year by agreement between the Sovereign and the Dean of the Diplomatic Corps.

Procedure.

34. The procedure in civil and commercial matters and in matters of contravention shall be that of the Egyptian Mixed Tribunals.

35. In criminal and correctional matters the procedure shall in each first instance be defined beforehand in writing by the Judge of the Special Tribunal who must communicate it to the parties accused.

36. These regulations shall construe jurisprudence for each analogous case.

37. The judge will be guided by the rules (and precedents) in force in Europe, simplifying them to the greatest possible extent.

38. The following rules shall be obligatory:

39. Except in the case of flagrant offence no arrest shall be made without a warrant signed by the special judge or by his assistant.

40. In case of flagrant offence the offender shall be arrested by the local authorities who shall hand him over to the Consul representing his country. The latter shall give him up with the least possible delay to the Special Judge.

41. The Special Judge shall proceed with the examination of the accused within twenty four hours from the time of his arrest or his arrival in Addis Ababa.

42. The summons to appear before the judge must include the text of the articles of law applicable, and must be given to the accused at least three days before the trial. All judgments must be conveyed to the condemned through the Chief Gendarme within three days after pronouncement.

43. Judgments given in default may be contested within ten days following their notification.

44. The appeal from judgments after both sides have been heard must be made at the clerk's office within 40 days following pronouncement.

45. The Special Court of Appeal must be assembled for the judgment of this appeal in the month following the registration of the appeal at the clerk's office.

Provincial Tribunals.

46. The Special Tribunals performing their functions in the provinces (except for Harrar and Diré Daoua) shall continue to sit in the same manner as at present. However, the appeal of cases decided by them shall be taken before the Special Judge and decided by him without appeal within the limits of his competency as defined in paragraphs 15 to 22.

47. If the importance of the case over-reaches the limits in question, the appeal shall be taken directly to the Special Court of Appeal.

48. The Special Judge or his assistant shall go at least twice a year to each of the cities of Harrar and Diré Daoua to hold a session in the same manner as in Addis Ababa, for the purpose of hearing cases pending. For this purpose they shall receive their travelling expenses and a compensation of 10 thalers per diem.

49. In emergencies the cases which might present themselves in these cities shall be judged as at present, under the conditions regarding appeal defined above for Provincial Tribunals.

SOLICITOR'S OFFICE
MAY 15 1929
DEPARTMENT OF STATE

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

May 14, 1929

Mr. Shaw:
Mr. Murray:

SO - Mr. Anderson:

The Legation at Addis Ababa requests instructions on the proposal of the diplomatic corps to institute special courts for foreigners to replace the unsatisfactory system now in use. To a layman the proposals sound reasonable enough, and Mr. Southard recommends that they be approved.

There is one point that strikes me as possibly open to objection, and that is Article 43, which provides that "judgements given in default may be contested within ten days following their notification." It seems to me that if the defendant were in the provinces the time thus alloted would be insufficient for him to return to Addis Ababa to contest the judgement. With this exception the regulations appear to offer fairly good protection and certainly the sentences would be more likely to be just than they are under the present system.

INDEX BUREAU

In passing it may be mentioned that we secure our judicial privileges in Ethiopia through Article III of the American-Ethiopian Treaty of June 27, 1914, which reads as follows:

> "The two contracting Governments shall reciprocally grant to all citizens of the United States of America and to the citizens of Ethiopia, all the advantages which they shall accord to the most favored Power in respect to customs duties, imposts, and jurisdiction."

We shall, of course, want the considered opinion of the Solicitor's Office before drafting any instructions.

P[illegible]

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FILED
AUG 16 1929

DEPARTMENT OF STATE

THE SOLICITOR

MEMORANDUM

May 17, 1929

DEPARTMENT OF STATE
MAY 31 1929
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
DIVISION OF
WESTERN EUROPEAN AFFAIRS

NE:

Mr. Alling:

The proposed draft for the establishment of a special tribunal in Ethiopia is more conspicuous for its sketchiness than for any other characteristic.

The suggestion as to the composition of the personnel of the court has considerable to recommend it but it seems unfortunate in view of he fact that criminal jurisdiction is to come within the competence of the court that we could not have a representative of the Anglo-Saxon system of law. It is true that the French system is not largely represented inasmuch as Denmark, Norway, Netherlands, and Sweden are largely controlled by the German system of law. Switzerland of course is purely eclectic.

The rotation of judges seems to be a work of supererogation but there does not seem to be any fundamental objection to this rather cumbersome system of establishing the personnel of the court if the Ethiopian Government chooses to accord with the idea.

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With respect to the competence of the court, the selection of the penal code of Switzerland in criminal matters and the Egyptian Mixed Code in commercial matters would seem to be satisfactory with the usual objection however which American and British lawyers have to the fundamental difference of the civil law theories with respect to crimes. Criminal jurisdiction is the last jurisdiction which this Government cares to give up and you know how chary we are in giving up our criminal jurisdiction in Egypt. Whether it would be advisable to accept the laws of Ethiopia with respect to contraventions would depend largely on what are considered contraventions in Ethiopia. If the term contraventions is going to include only such things as are included within the competence of the Mixed Courts in Egypt there would seem to be no objections. If the term, however, is to be expanded much beyond such a classification there might be considerable objection. In passing it might be stated that there seems to be a conflict between sections 18 and 23. In section 18 contraventions seem to be judged on the basis of Ethiopian law and in 23 contraventions seem to be on the basis of the Swiss code.

There appears to be a provision for appeal only in the case of crimes. Whereas summary jurisdiction has been provided for in civil and commercial cases in amounts below five thousand thalers there appears to be no provision for commercial appeals in cases involving greater amounts.

There

There appears to be little consideration of the exact procedure in criminal matters, the one division of law in which exact procedure is particularly necessary to safeguard the interests of the defendant.

I do not believe that the provision for extending the privilege of opposing judgments taken by default within ten days is objectionable if sufficient time has been allowed in the first instance.

There is no reason why a judgment by default should ordinarily be opened up at all and this is the most prevalent idea in common law jurisdictions. Under the paternalistic idea of the civil law where greater care is taken of the defendant this provision for opening up a judgment obtained by default within ten days, or some such time, is a privilege which is frequently accorded.

In passing it may be stated that the provisions with respect to the time provided in which an answer to a complaint may be filed as set out in the Egyptian Mixed Codes are not without objection for in many cases the time could be shortened both to the advantage of the Court and the parties concerned. Apparently the provisional courts in Ethiopia are to function as courts of first instance with the Special Tribunal at Addis Ababa as a Court of Appeals. The provision for the judge of the Special Tribunal to act as a circuit judge in the provinces would seem to be a good idea.

Although

Although the system is not by any means all that could be desired, there does not seem to be any special characteristic of the proposal itself to which we might raise any objection, with the possible exception of criminal jurisdiction. It is understood that the law to be applied in a criminal case is the law of the country of the accused. From the point of view of substantive law, particularly in the case of an American, such a procedure would raise conflicts of law by reason of the fact that the projected plan suggests the crimes be divided into three parts; namely, crimes, delicts and contraventions. The contraventions are to be either defined by Ethiopian law or the Swiss Penal Code. The delicts are to be defined by the Swiss Penal Code and crimes by the law of the country of the accused. Inasmuch as these classifications differ and overlap in the various systems, it is felt that unfortunate confusion would be caused. Furthermore, it is not apparent from the proposed establishment of the courts whether the law of criminal procedure of the country of the accused is to be followed, whether the procedure would be the law of the forum, that is, the law of Ethiopia, or whether the procedure would be the procedure of the Swiss Code of Criminal Procedure.

Personally I am of the opinion that there is too

much

much confusion in the proposed plan. It would seem to be better if the substantive and the procedural law of the Mixed Codes of Egypt should be applied to all commercial questions, that the law of the Mixed Tribunals with respect to contraventions in Egypt should be applied and that the criminal jurisdiction should be reserved entirely to the Consular Courts.

It is noted that the law of personal status and family law is not provided for in the proposed plan and it is therefore suggested that such questions will be reserved entirely to the Consular Courts.

To sum up, there would appear to be no need to make any particular objection to the composition of the courts to the jurisdiction which they may exercise within the country of Ethiopia but the confusion with respect to the substantive and procedural law to be applied would make it advisable to suggest a clarification along the lines mentioned in the above paragraph and it is felt that outside of contraventions as defined by the Egyptian Mixed Court Procedure criminal questions and questions of personal status and family law should be reserved to the American Consular Courts in cases in which American nationals are involved.

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PREPARING OFFICE
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TELEGRAM SENT

Department of State

TO BE TRANSMITTED
CONFIDENTIAL CODE
NONCONFIDENTIAL CODE
PLAIN

This cable was sent in confidential Code. It should be carefully paraphrased before being communicated to anyone

Washington, August ~~9~~ 10, 1929. 1 pm

AMLEGATION

ADDIS ABABA (ETHIOPIA)

38

884.05/3

Your mail despatch No. 179, April 10, 1929.

Though the Department would be agreeable in principle to the establishment in Ethiopia of a court having jurisdiction over foreigners, it is of the opinion that the proposal of the Diplomatic Corps needs further consideration and redrafting.

Before preparing definite instructions the Department would wish to know the attitude of the other interested Powers. This you should endeavor discreetly to ascertain from your colleagues.

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DISTRIBUTE

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Aug 10, 1929

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Sent by operator ..... *M.*, ..., *19*...., ...

Index Bu.—No. 50.

GOVERNMENT PRINTING OFFICE 1—138

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

9/24/29

SO:

Mr. Anderson:

Here is a reply from Addis regarding the courts in Ethiopia. I have talked it over with Mr. Shaw who suggests that you may wish to draft instructions for Mr. Southard to use when he has the opportunity a little later.

Moa

PM RECD

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa,
Ethiopia.

SEP 1929

August 14th, 1929.

SEP 19 1929

CONFIDENTIAL.

No. 241.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to acknowledge receipt of the Department's telegraphic instruction No. 38 of August 10th, 1:00 p.m., 1929, expressing the opinion that the proposal for a special court here by the local Diplomatic Corps, as previously submitted to the Department, required further consideration and redrafting before the issuance of definite instructions to this Legation. I am directed to ascertain the attitude of the other interested powers by means of discreet inquiry among my colleagues.

My colleagues of Britain, France, Italy, Germany, and Belgium, all inform me that their respective governments promptly approved the project forwarded with the Legation's

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Legation's No. 179 of April 10th, 1929. The above governments are all represented here by full Ministers who naturally take the initiative in such matters but also, as a matter of courtesy, consult their lesser colleagues. The career Consul who represents Egypt here has indicated the approval of his government. The Honorary Consul General of Greece, who is always consulted because of the comparative size and importance of the Greek colony here, has indicated the approval of his government. The local representatives of Turkey, Sweden and Austria, who are honorary Consuls, are understood not to have been consulted. I long since informed my colleagues that no approval had been received from my government but that in the absence of instructions to the contrary I did not anticipate any serious objections.

On the basis of the above the written proposal for a reorganized special court has already been submitted to the Ethiopian Government in practically the form transmitted with the Legation's despatch of April 10th, 1929. I am at once informing the Dean of the Diplomatic Corps of the withdrawal, pending further instructions from Washington, of the Legation's former tentative adherence to the project. This will not, I assume, make any great difference as the matter of a special court is considered at present as of much less interest to Americans than it is to the British, French, Italian and German Legations with their much larger numbers of resident nationals and protegés. Whatever

concessions

concessions these four nationalities obtain from the Ethiopian Government we can adhere to or not as best suits our opinion. If we do not adhere there is always the danger that an attempt may be made to submit our few Americans here to the somewhat barbaric Ethiopian legal and court procedure, against the application of which to foreigners the local British, French and Italian Legations have always been most active. There is a sort of "united we stand, divided we fall" situation.

I would, therefore, appreciate the instructions of the Department as to whether I should inform the Ethiopian Government that the American Government does, or does not, adhere to the project for a special court submitted by the Diplomatic Corps. Although I have made no formal indication of American adherence the Ethiopians will assume such unless the Legation makes soon a formal statement to the contrary. Some action from us is, therefore, due without great delay should the Department disapprove of the project as originally drafted. If the Department will indicate the changes desired I can possibly persuade the Dean of the Diplomatic Corps to submit them in the form of an amendment to the original draft.

However, in the final opinion of the Legation there is no important reason for endeavoring just now to submit this amendment. We need only to indicate approval or disapproval of the project. Should the Ethiopians run true to form they will for many months mull over the

present

present proposal and then return it to the Dean of the Diplomatic Corps in more or less garbled and chopped up form. At such time of reconsideration by the Diplomatic Corps the American suggestions could be submitted by this Legation. Probably a considerable amount of discussion will take place during the next year or so and then the socalled "Big Three" of Britain, France, and Italy, will browbeat the Ethiopians into acceptance of something like the original proposal. The Ethiopians often play the three one against the other but when the three do get together and agree, which occasionally happens, they usually enforce their will against the Ethiopians.

In summary I respectfully venture the opinion that any form of special court procedure meeting the ideas of the local British, French, Italian, and German Legations as providing sufficient protection for their nationals, would seem to be ample protection for Americans and American interests. The national interests indicated can be relied upon to accept nothing less than the most that is possible in concessions from the Ethiopians. Viewing the matter in this light, and in the light of my own appreciable practical and firsthand experience in observation on the ground in various countries of the functioning of the more usual forms of extraterritorial or other special courts, I recommended on page three of Despatch No. 179 the Department's approval. Nevertheless the Legation can in the end be guided only by the

Department's

Department's instructions and such, in detail, would be much appreciated at this time.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

4 Carbon Copies

Received

AM RECD

LEGATION OF THE

UNITED STATES OF AMERICA

Addis Ababa,

Ethiopia,

September 21st, 1929.

SOLICITOR'S OFFICE
NOV 22 1929
DEPARTMENT OF STATE

OCT 23 29

FOR DISTRIBUTION

884.05
Note
884.041
884.04/14
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No. 268.

The Honorable

The Secretary of State,

Washington.

DEPARTMENT OF STATE
OCT 24 1929
DIVISION OF
NEAR EASTERN AFFAIRS

INDEX BUREAU

884.05/8

FILED
NOV 25 1929

Sir:

I have the honor, as further indication of the trend towards modernization of official administration in Ethiopia, to transmit herewith translation from the Amharic of an order just issued by the administrator of the Special Tribunal in Addis Ababa requiring the registration and qualification of lawyers desiring to practice in that court.

The Ethiopian Government has not heretofore made regulations governing the practice of the professions. There is no examination for qualifications, or official registration, required from those who wish to practice the professions of medicine, dentistry, pharmacy, law, etc., etc. As a result many unscrupulous and unqualified people, mainly Levantines, have come here to practice all the professions. There are understood to be about thirty men in

Addis Ababa

Addis Ababa holding themselves out as qualified lawyers of whom only two are known to hold diplomas evidencing a proper legal education. This new order, if enforced, will deprive many of them of the easy living which they have heretofore made at the expense of the litigious members of the community.

As previously reported at various times from this office in more detail the Special Tribunal in Addis Ababa is organized under Ethiopian judges (without legal education) for the trial of cases between Ethiopians and foreigners. Cases between foreigners are tried in the local Consular Court of the defendant. Cases between Ethiopians only are tried in strictly local and native courts where results are based mainly upon religious and family influences tinctured to some extent by financial inducements to the judge and appeals to his whims or humors of the moment.

The present administrator of the Special Tribunal, which might be called a Mixed Court in somewhat loose comparison with the institution of that kind in China, is an Ethiopian of excellent European medical education. He is Doctor W. C. Martin, at one time intimately connected with the Tsana dam matter. Doctor Martin has European ideas and has doubtless issued the order (herewith transmitted) with a view to correcting abuses resulting from activities of the number of unlicensed and legally unqualified practitioners who appear in his court. Should

the

the enforcement of the order be left entirely to him it would doubtless be honestly administered but he is an old man with too much work to do and there is no certainty that the order will not lapse after an initial and more or less spasmodic effort to apply it.

The local Diplomatic Corps has already presented to King Tafari a project for the reorganization of the Special Tribunal which will bring about the appointment of European judges and the application of a code of laws somewhat along the lines of that now used in Egypt in the handling of cases involving foreigners. We in the absence of instructions to that effect from the Department are the only local Legation which has not adhered to the court reform project now in the hands of the King.

The whole matter of law court organization in Ethiopia is still in a decidedly nebulous form. The promulgation of proper codes of laws, and the establishing of courts under qualified judges, are among the reforms and modernizations of feudal Ethiopian procedure lately receiving consideration from the government. Progress is necessarily slow and of the fragmentary nature indicated by this and various previous despatches on the general subject which have emanated from this office. As soon as sufficient tangible material becomes available a somewhat comprehensive report on the judicial and legal situation will be attempted. That may well be a matter of two or three years yet.

I

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

1 Enclosure.

Enclosure to Diplomatic Despatch No. 268 of September 21st, 1929, from Addison E. Southard, Minister & Consul General at Addis Ababa, Ethiopia, on the subject of the new administration of the Special Tribunal in Ethiopia.

THE ADMINISTRATOR OF THE SPECIAL TRIBUNAL.

DECREE:

1. All persons desiring to exercise the profession of judicial attorney and to represent litigants before the Special Tribunal, must address a request to the Administrator of the Special Tribunal and present therewith the diplomas, certificates, etc., or otherwise demonstrate sufficient professional knowledge (therefor).

2. Persons thus approved will be duly authorized by the Administrator (to practice) and will be entered in alphabetical order in a List of Legal Attorneys. This List will be posted in the Tribunal under the direction of the clerk of the Court. Registration in the List is subject to a fee of MT$10.00 per annum.

3. Only the legal attorneys entered in the official List will be entitled to represent litigants before the Special Tribunal. Registration in the List does not exempt an attorney from giving evidence of his authority to act, by means of a regular power of attorney from his client.

4. The Administrator will always have the power to remove from the List the name of any one convicted of an ignominious penal offense.

5. The fees of the attorney representing the losing side will in future be fixed as follows, based upon the amount awarded by judgment to the winning side:

Up to MT$ 50,000	10% (maximum MT$ 5,000)
From MT$ 50,000 to MT$100,000	5% (maximum MT$ 7,500)
From MT$100,000 up	2% (example:MT$150,000 yields a maximum fee of MT$8,500).

The present decree will be effective from the 15th of Maskaram, 1922 (i. e., September 25th, 1929).

Persons desiring registration in the List for the year 1922 will present their applications to the Administrator between this date and the 15th of Maskaram, 1922.

(Sgd.) W. Martin,
September 16th, 1929.

Seal of the
Special Tribunal.

No. 101

November 1, 1929.

The Honorable

Addison E. Southard,

Minister Resident and Consul General,

Addis, Ababa.

Sir:

The Department acknowledges the receipt of your despatch No. 241 of August 14, 1929, with reference to the proposed special court to be established in Ethiopia.

It was the opinion of the Department as evidenced by its telegram to you of August 10, 1 p.m. that the proposal for the new court as set out in the enclosure to your despatch No. 179 of April 10, 1929, lacked clarity. In Section 17 of the draft proposal, the translation of which was enclosed with your despatch above referred to, it is provided that in criminal cases the provisions of the Swiss Penal Code shall apply. In Section 27, under the general heading of crimes, it is provided that the law applied shall be that of the country of the accused. It was the opinion of the Department when reading this that there was some confusion with respect to the law to be applied. However, upon referring to the French text accompanying your despatch it was later ascertained that the word "delits" used in Section 17 should not be translated in English technically by the word "crimes" but rather by the word "misdemeanors". If the distinction is clearly made in the proposed agreement between crimes in which the law of the country of the accused shall be applied.

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applied and misdemeanors in which the provisions of the Swiss Civil Code are to be applied, there would seem to be no objection. However, in a copy of the Swiss Penal Code which is in the Department there appears to be no accurate classification of crimes and misdemeanors.

The rotating character of the Judges would seem to be a rather cumbersome system but if it is agreeable to the other Powers the Department would not of course object thereto.

There would also seem to be some lack of clarity in Section 18 which states that in matters of contraventions the Ethiopian laws and regulations which have been accepted by the representatives of the Powers shall be applicable to their subjects. The Department is not aware just how far this might become confused with the provisions of the Swiss Penal Code with respect to misdemeanors. This matter is further complicated by the fact that the definition of crimes, misdemeanors and contraventions, if defined by the Swiss Penal Code, may cut across the lines of the distinctions of crimes under American law. It was the idea of the Department that it would be clearer to provide that civil and commercial matters and matters of simple contravention of municipal regulations, et cetera, should be governed by the Egyptian Mixed Codes and that crimes in degrees above contraventions should be judged by the laws applicable in the defendant's country.

In general the Department's objections were not leveled against the scheme as a whole but it was thought that a more careful drafting of the provisions might

obviate

obviate some of the possible confusion with respect to the operation in Ethiopia of laws concerning various degrees of crime.

The Department is entirely in accord with your suggestion that whatever may be suitable to the other Powers having interests in Ethiopia would be all that this Government could hope to obtain and in general would be satisfactory.

I am, Sir,

Your obedient servant,

For the Secretary of State:

William [illegible]

884.042/5

CR
Oct. 31, 1938 PM

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SO: FMA/MRR SS:

DOCUMENT FILE

NOTE

New

SEE 884.00/151 FOR #158

FROM Abyssinia (Southard) DATED March 5, 1929
NAME

TO

1—1127

INDEX BUREAU
884.105/

REGARDING: lack of proper military or police discipline in outlying provinces of Ethiopia as result of restriction by Britain, France and Italy of the importation of arms and ammunition into Ethiopia.

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DEPARTMENT OF STATE
FEB 10 1925
DIVISION OF
NEAR EASTERN AFFAIRS

UNDER SECRETARY
And 2/7/25
FEB 7 - 1925
DEPARTMENT OF STATE

Feb.5,1925.

Hon.Joseph C.Grew,
Under Secretary of State,
Washington,D.C.

Dear Sir:-

This firm contemplates making a slight change in one of their Round the World Tours in 1925. The tour,which includes Africa,we intend this year making slightly different,to the extent of going into the very little known country of Abyssinia. As far as we have been able to find out,this kingdom has no diplomatic or consular representatives,either direct or indirect,in this country. Before formally incorporating Abyssinia in our tour,it is necessary for us to know,in the first place,whether any restrictions are imposed on foreign travelers as to entering the country;in the second place, if travelers are freely admitted,where in this country they may have their passports visad;and lastly,it is necessary for us to know whether there are hotel facilities in Addisababa,the capital,for perhaps a dozen people for a few days.

We hesitate calling on the State Department for this information, and do so only as a last extremity. We should be extremely obliged to you,or to anyone in the department to whom you might refer us for information on this question. Furthermore,the sooner this information is furnished us,the greater will be our obligation to you,because the Round the World booklet,due to be published about this time,is held up,pending information on these points.

As far as we know,Abyssinia is a field very little known to American travelers,and one which we are confident should not remain so. It is our desire to be somewhat in the way of pioneers in bringing to the attention of travelers the exceedingly interesting,exotic features of this African kingdom.

Yours very truly,

Raymond & Whitcomb Co.

Per Chas. Cox Mf. & Louise de

Publicity Department

CMF:LW

FILED
FEB 16 1925

DEPARTMENT OF STATE

ASSISTANT SECRETARY

A-~~1~~C/C

February 7, 1925.

Mr. Kane:

Abyssinia has neither Diplomatic nor Consular representation in the United States nor does this country have similar representation there.

At the time of my last sojourn in Abyssinia in the fall of 1920, there was no restriction imposed on foreign travelers entering the country ~~for~~ Jûbuti over the Franco-Ethiopian Railway via Dire-Dawa, and Hawash to Adisabeba 500 miles from the coast. Passengers landing at Jûbuti with the intention of visiting Abyssinia should procure a French visa in the United States as Jûbuti is French territory. At Jûbuti such passport arrangements as may be required by the Abyssinian Government can be made with the Abyssinian Consul resident there.

The two principal hotels in Adisabeba are the Hotel Bollolakos and the French Hotel. They are somewhat primitive but comfortable and can accommodate at least fifty guests each. They are usually about half full, but reservations can be telegraphed for from Jubuti.

I can provide you with considerably greater details if you desire. I would suggest that the Raymond and Whitcomb Company be advised to procure for such passengers as may contemplate the trip into Abyssinia copies of the pamphlet entitled "Special Consular Report No. 81, Abyssinia", on sale by the Superintendent of Documents at Washington for five cents the copy. I prepared this pamphlet after a somewhat comprehensive journey in and around Abyssinia.

AES:ABF

A-C/C

GOVERNMENT PRINTING OFFICE

In reply refer to
U-1-884.111/-

-/1114

February 9, 1925

Mr. Charles M. Fleischaer,

Publicity Department, Raymond & Whitcomb Company,

Beacon and Park Streets,

Boston, Massachusetts.

Sir:

I am in receipt of your letter of February 5, 1925, inquiring whether any restrictions are imposed on foreign travelers entering Abyssinia; if travelers are freely admitted at what point in the United States they may obtain visas for their passports; and whether there are hotel facilities in Adis Abeba for perhaps a dozen people for a few days.

In reply I hasten to inform you that Abyssinia has neither diplomatic nor consular representation in the United States, nor is the United States similarly represented there.

While the Department has no definite information regarding present conditions in Abyssinia, it is in a position to give you information furnished by one of its representatives who was last in Abyssinia in the

fall

fall of 1920. At that time there was no restriction on foreign travelers entering the country via Jibuti over the Franco Ethiopian Railway via Dire-Dawa, and Hawash to Adis Abeba five hundred miles from the coast. It is suggested that passengers landing at Jibuti should procure French visas in the United States, as Jibuti is under French sovereignty. Such passport arrangements as may be required by the Abyssinian government may presumably be made with the Abyssinian Consul resident at Jibuti.

According to my informant the two principal hotels in Adis Abeba are the Hotel Bollolakos and the French Hotel, both of which are somewhat primitive but comfortable, accommodating at least fifty guests each. I understand that they are usually about half full, but that it is possible to obtain reservations by telegraph from Jibuti.

I am transmitting herewith for your convenience a copy of "Special Consular Report No. 81, Abyssinia". In case you desire additional copies of this pamphlet you may obtain them from the Superintendent of Documents at Washington , at the rate of five cents per copy.

I am, Sir,

Your obedient servant,

For the Secretary of State:

JOSEPH C. GREW

Under Secretary.

Feb 27 1925 pm

Enclosure:

"Special Consular Report No. 81, Abyssinia".

U-1-ABL:ECL

In reply refer to
NE 884.111/1

My dear Mr. Gallivan:

I have received your letter of February 7, 1925, enclosing a letter, dated February 6th, received from Raymond and Whitcomb Company of Boston, Massachusetts, making certain enquiries concerning travel in Abyssinia, and, in reply, take pleasure in enclosing, for your information, a copy of the Department's reply to an identical enquiry from this Company, dated February 5th, addressed to the Under Secretary of State. A copy of the Company's acknowledgment, stating that the information as furnished was satisfactory, is also transmitted herewith.

884.111/1

The enclosure to your letter is returned, herewith, as requested.

I am, my dear Mr. Gallivan,

Sincerely yours,

Charles E. Hughes

Enclosures:
Letters from Raymond & Whitcomb Co. and copy of letter from Department to Raymond & Whitcomb Co.

CR
Feb. 16 1925 .pm

The Honorable

James A. Gallivan,

House of Representatives.

NE GW/VT&LVD

Raymond & Whitcomb Co.

TOURS AND CRUISES

EXECUTIVE OFFICES
RAYMOND BUILDING
BEACON AND PARK STREETS
BOSTON, MASS.

UNDER SECRETARY,
FEB 12 1925
DEPT OF STATE.

Letter to Rep. Gallivan re Abyssinia

Feb.10, 1925.

DEPARTMENT OF STATE
FEB 12 1925
DIVISION OF
NEAR EASTERN AFFAIRS

Hon.Joseph C.Grew,
Under Secretary of State,
Washington,D.C.

Dear Sir:-

I am in receipt of your very complete reply to my inquiry concerning Abyssinia. Please accept our sincere thanks for your kindness in this matter. I am sure that the information with which you have supplied us answers satisfactorily all our difficulties.

Very sincerely yours,

Raymond & Whitcomb Co.

By Charles M. Fleischner

CMF:LW

JAMES A. GALLIVAN, M. C.
12TH DISTRICT MASSACHUSETTS

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:
TREASURY AND POST OFFICE DEPARTMENTS
DEFICIENCIES

EUGENE T. KINNALY
SECRETARY
JOSEPH M. CONNORS
ASSISTANT

Congress of the United States

House of Representatives

Washington, D. C. 7th February 1925.

DEPARTMENT OF STATE
FEB 10 1925
DIVISION OF
NEAR EASTERN AFFAIRS

Assistant Secretary
of State
FEB 9 1925
MR. CARR

Hon. Wilbur J.Carr,
Department of State,
Washington, D. C.

Dear Mr. Secretary:

I am taking the liberty of inclosing herewith an original letter which I have just received from Raymond & Whitcomb Co., Boston, Mass.

If, with return of the inclosure, you will kindly advise me what kind of a report I may send to my correspondent concerning travel conditions, restrictions, etc., in Abyssinia, I will be deeply grateful.

Thanking you in advance for an early reply, and with kindest personal regards, I am

Cordially yours,

James A. Gallivan

INDEX BUREAU
FEB 18 1925

COPY

RAYMOND & WHITCOMB CO.
Raymond Building
Beacon and Park Streets
Boston

Feb. 6, 1925.

Congressman James Gallivan,
House of Representatives Office Bldg.,
Washington, D. C.

Dear Sir:-

This firm contemplates making a slight change in one of their Round the World Tours in 1925. The tour, which includes Africa, we intend this year making slightly different, to the extent of going into the very little known country of Abyssinia. As far as we have been able to find out, this kingdom has no diplomatic or consular representatives, either direct or indirect, in this country. Before formally incorporating Abyssinia in our tour, it is necessary for us to know, in the first place, whether any restrictions are imposed on foreign travelers as to entering the country; in the second place, if travelers are freely admitted, where in this country they may have their passports visaed; and lastly, it is necessary for us to know whether there are hotel facilities in Addisababa, the capital, for perhaps a dozen people for a few days.

We hesitate calling on you for this information, and do so only as a last extremity. We should be extremely obliged to you, or to anyone to whom you might refer us for information on this question. Furthermore, the sooner this information is furnished us, the greater will be our obligation to you, because the Round the World booklet, due to be published about this time, is held up, pending information on these points.

As far as we know, Abyssinia is a field very little known to American travelers, and one which we are confident should not remain so. It is our desire to be somewhat in the way of pioneers in bringing to the attention of travelers exceedingly interesting exotic features of this African kingdom.

Yours very truly,

Raymond & Whitcomb Co.,
Per
(SGD) Charles M. Fleischner

Publicity Department

CMF:LW

In reply refer to:
VI 884.111/orig.

Mr. C. LeRoy Baldridge,

712 Madison Avenue,

New York, New York.

AUG 31 1927
884.111
DEPARTMENT OF STATE

Sir:

Replying to your communication of August 17, 1927, in which you ask whether visas are necessary for a trip to Ethiopia, you are informed that the normal route of travel to Ethiopia is by steamship from Marseilles to Djidouti (the principal port of French Somaliland) and thence by railway to the interior of Ethiopia. If this route is taken a French visa "Bon pour la France et pour l'Etranger" will, therefore, be necessary.

It is the understanding of the Department that no Ethiopian visa is necessary and that there is customs but no passport control at the Somaliland-Ethiopian border.

I am, Sir,

Your obedient servant,

SEP 1 1927

PD
777

VI:EC:ae

George L. Brandt,
Chief, Visa Office

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

August 25, 1927

VI:

The normal route of travel to Ethiopia is by steamship from Marseilles to Djidouti (the principal port of French Somaliland) and thence by railway to the interior of Ethiopia.

A French visa "Bon pour la France et pour l'Etranger" is, therefore, necessary.

This Division is informed by a recent traveller to Ethiopia that no Ethiopian visa is necessary and that there is customs but no passport control at the Somaliland-Ethiopian border.

VISA OFFICE
AUG 25 1927
DEPARTMENT OF STATE

NE-GW:VT.

DEPARTMENT OF STATE

VISA OFFICE

NE 8/24/27

Please let me have a memo for use in replying to the attached communication

E. Crawford

Aug 17/27

Passport Bureau,
Washington D.C.

PPCD
PASSPORT DIVISION

Will you kindly tell me
what visas, if any, are necessary
for a trip to Ethiopia -

AUG 18 27

Yours truly,
C. for Ron Baldridge
712 Madison Ave
New York City

DEPARTMENT OF STATE
AUG 24 1927
DIVISION OF
NEAR EASTERN AFFAIRS

884.111

INDEX BUREAU
884.111
VISA OFFICE
AUG 23 1927
DEPARTMENT OF STATE

Los Angeles, Cal.
August 9, 1927

FILED
AUG 22 1927

INDEX BUREAU

884.111/3

The Minister to Abyssinia,
Washington D.C.

File
8/16/27
GD

Dear Sir:

Can you please inform me how I am to obtain a visa on a passport to Abyssinia, Africa. We, (including my wife and babe) are to leave United ~~States~~ States on Sept. 22, for England, thence to Abyssinia, where we

are to do medical mission work
under the United Presbyterian
Board at Addis Abeba, Abyssinia.
I am a graduate of Rush Medical
College. Will you please inform me
of the location of the nearest
consul and if time does not
permit us getting a visa in
United States can it be postponed
until we arrive in London?
Can it be done by mail?

Sincerely Yours

Stuart Bergsma
367 S. Hancock St.
Los Angeles, Cal.

Mr. Stuart Bergsma,

367 South Hancock Street,

Los Angeles, California.

AUG 17 1927

884.111 B/788

Sir:

Your letter of August 9, 1927, addressed to the Minister to Abyssinia, Washington, D. C., has been referred to this Department for appropriate disposition.

In reply you are informed that there is no diplomatic or consular representative of Abyssinia in the United States, and insofar as this Department is informed, there is no such representative in London.

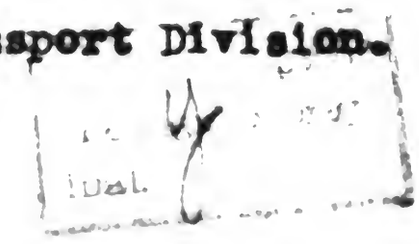
It is therefore suggested that if you desire to enter Abyssinia that you address your inquiry for such information as you may desire to the American Consul at Aden, Arabia, since it is believed that he is in a position to obtain for you satisfactory information concerning the visa regulations of the Abyssinian Government, as applied to visas abroad, or at the Abyssinian frontier in the event you may desire to present yourself at the frontier for admission.

I am,Sir,

Your obedient servant,

PD:PWB:ED

Chief, Passport Division.



NO. 47

DEPARTMENT OF STATE
FEB 11 1929
DIVISION OF
NEAR EASTERN AFFAIRS

AMERICAN CONSULATE GENERAL

Addis Ababa, Ethiopia,

January 2nd, 1928.

SUBJECT:

1—1221

VISA OFFICE
FEB 9 1929
Department of State

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

I have the honor to enclose herewith copy of translation into English of an official notice published in Amharic by the Ethiopian Government requiring that visitors to Ethiopia obtain Consular visas.

Heretofore all visitors to Ethiopia have been admitted without an Ethiopian visa. As a result the country has become the residence of a number of allegedly undesirable characters, mainly from the Levant, who are thought to be a menace to social as well as to official law and order.

Visitors entering by way of French Somaliland and the Franco-Ethiopian railway, the usual route of ingress, will obtain visas from the Ethiopian Consul at Djibouti. Those entering from Eritrea on the north will obtain the visa from the Ethiopian Consul in Asmara. Those entering from British and Italian Somalilands, from Kenya Colony, from Uganda and from the Sudan, will apply for visas at frontier posts to be designated.

The Ethiopian Government has not adequate machinery

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FEB 11 1929 D

to enforce these new regulations excepting by the Franco-Ethiopian railway route. There is actually an Ethiopian Consul at Asmara in Eritrea but the frontier between that Italian colony and Ethiopia is not well guarded or patrolled. A similar condition prevails on the other frontiers mentioned.

As soon as the appointment of an honorary Ethiopian Consul General in Washington (my Diplomatic Despatch No. 89 of November 2nd, 1928) shall have been arranged this office will ask the Ethiopian Foreign Office whether intending American visitors to Ethiopia may obtain their visas from that officer.

The fees to be charged for visas have not yet been announced.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD
Minister Resident and Consul General.

1 Enclosure.

Enclosure to Consular Despatch No. 47, dated January 2nd, 1929, of Addison E. Southard, Minister Resident and Consul General at Addis Ababa, Ethiopia, on the subject of Ethiopian Consular visas.

OFFICIAL NOTICE.

(Translated from BERHANENA SALAM, Year IV, No. 50, December 13th, 1928).

----oOo----

Article One. Any foreigner who desires to enter Ethiopia from French Somaliland or from Eritrea must first present himself personally to the Imperial Consulate of Ethiopia in Djibouti or in Asmara, as the case may be, to have his passport visaed.

Article Two. Any foreigner who presents himself at the Ethiopian frontier of French Somaliland or of Eritrea without being in possession of a passport bearing the Ethiopian visa will be rejected.

Article Three. Any foreigner who desires to enter Ethiopia from British Somaliland, from British East Africa, or from the Sudan, must present his passport to that post on the Ethiopian frontier which may be authorized to grant visas.

Article Four. Any foreigner who, after the coming into force of the present notice, enters Ethiopia without having obtained a visa of his passport as provided in the preceding articles will be led back to the frontier.

The present regulations will become effective on the 1st of Ter, 1921 (January 9th, 1929).

Done at Addis Ababa, the 1st of Tahsas, 1921. (December 10th, 1928).

----oOo----

DOCUMENT FILE

NOTE

SEE 884.00/151 FOR #158

FROM Abyssinia (Southard) DATED March 5,1929
TO NAME

1—1127

INDEX BUREAU
884.111/5

REGARDING: detention at Nejo of a party of Frenchmen travelling on behalf of the Renault Motor Company. Such "incidents" are becoming more numerous and may develop into serious proportions in case hot-headed foreigners should resist by violence.

Wh

FILED
APR 17 1929

Addis Ababa,
Ethiopia.

March 5th, 1929.

CONFIDENTIAL

No. 158.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to report a second recently occurred "incident" of detention (please refer to Diplomatic Despatch No. 142 of February 16th, 1929, for the first) of foreigners travelling in the provinces of Ethiopia.

A party of Frenchmen travelling from Cairo through the Sudan and into Ethiopia to Addis Abeba with two six-wheeled Renault motor cars as an advertising endurance test for the Renault Company was detained [redacted] by the local Ethiopian acting

acting governor for a period of about ten days at a place called Nejo in the sub-province of Leko. Nejo is not marked on most maps but may be found at about 9 1/2 degrees north latitude between the 35th and 36th degrees of longitude. It is on almost a direct line west from Addis Ababa to the frontier of the Sudan.

My French colleague informs me that he had previously arranged in Addis Ababa all necessary permits and passports for the travel of this Result party from the Sudan through Ethiopia to Addis Ababa. He is quite indignant over the detention and has notified the Ethiopian Government that a claim for damages will be filed.

The party was detained at Nejo for about ten days during February. It was not permitted to send any letters, telephone messages or other communication to Addis Ababa. The detention was learned of at the French Legation in Addis Ababa by word received from the Swedish medical missionary establishment at Nejo. Upon appeal by the Legation the central Ethiopian Government was able to procure its release and the journey to Addis Ababa was resumed where the party has just arrived.

The acting governor of the district who detained the party offered the excuse that the permits and passports were not in order. My French

colleague

colleague says the reason is not well taken as the permits and passports were issued from Addis Ababa and were positively in order. From other sources I draw the conclusion that among the reasons was that the members of the party attempted more or less to defy the provincial authorities in some small matter of routine and were originally placed under disciplinary arrest.

The average Ethiopian provincial ruler is more than ordinarily arrogant and unreasoning in the exercise of his power. He is encouraged in such attitude by the lack of strength of the central government which is unable to exercise proper military or police discipline because of lack of arms and ammunition for equipment. As has been previously commented upon in reports from this office the importation of arms and ammunition into Ethiopia is more or less prohibited by Britain, France and Italy whose colonial possessions surround the country. King Tafari is making a notable and partially successful endeavor to consolidate the power of the central government but is greatly handicapped by the inability to obtain sufficient proper equipment for his military police.

The three indicated powers responsible for restriction of the importation of arms and ammunition appear to be the most critical of the lack of strength

strength of the central government and might almost be suspected of desiring to foster the present situation for the purpose of producing "incidents" such as the one reported in this despatch. Their apparent ultimate purpose is, of course, to demonstrate the lack of strength of the central government and thus facilitate the happening of "incidents" which can be used as propaganda to elicit international criticism and condemnation. It is difficult to view the matter in any other light.

Encouraged by these recent detentions and probable immunity from effective punishment more of the provincial rulers may be expected to arrest or detain foreigners travelling in their respective territories. In the opinion of this Legation there may reasonably be expected to occur incidents of much more serious character. The parties of foreigners which travel in the Ethiopian interior are invariably well armed and should some hot headed fellow fire a shot there will likely be precipitated a battle costing foreign lives. There are at present three American parties travelling in the interior, all of which are well provided with the necessary passports and permits obtained from the central Ethiopian Government by this Legation. They are believed as liable to detention as the two parties (the Pruffer-Porta party and the Rensmit party) already reported from this office.

The

The provincial rulers most likely to detain foreign travellers are those who belong to the governmental faction opposed to King Tafari. Their party is anti-foreign by constitution but acts against foreigners would be motivated more by a desire to embarass King Tafari and the central government. Further fuel to such activity has been provided by the recent development of anti-missionary feeling as reported in Diplomatic Despatch No. 155 of February 27th, 1929, from this office.

King Tafari is fully able to extend and consolidate the authority of the central government if he but had sufficient equipment for his military police. Even with insufficient equipment of the kind he has, partly by moral suasion and astute politics, made unusual progress and has brought the power of the central government to a higher plane of efficiency than it has reached at any time since the death of the Emperor Menelek.

The detention of the Ransulit party is not so important in itself but is of considerable significance as representing a course pursued by anti-Tafari activity in the country. This is not great in strength but is sufficient to be dangerous in its possible power to cause an "incident" which might result in the killing of foreign travellers with obvious consequences. The main remedy is to permit the central government to import sufficient military

equipment

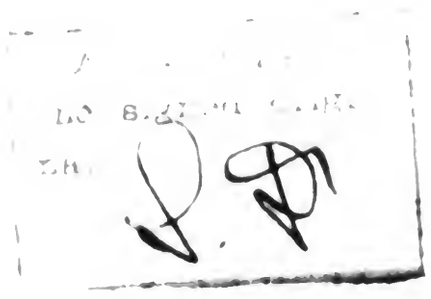
equipment for at least effective police purposes. Apparently this will not be possible so long as Britain, France and Italy follow their present policies aimed, as one is inclined to suspect, at the eventual strangulation of Ethiopia as a sovereign state.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

File No. 800/050
AES.sid.



DOCUMENT FILE

NOTE

SEE 884.00/156 FOR # 174

FROM Abyssinia (Southard) DATED Apr 2, 1929
TO NAME

1—1127

REGARDING: detention of travellers in Ethiopia by provincial governors, who fail to recognize passports issued by central government or other governors.

INDEX BUREAU

9 111.488

b

Addis Ababa,
Ethiopia.

April 2nd, 1929.

[redacted]

No. 174.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to add herewith the account of another "incident of detention" of travelling foreigners who carry passports of the central government at Addis Ababa which are not honored by certain provincial governors. Other recent incidents of the sort reported to date are covered mainly in the Legation's Despatches Nos. 142, 150, and 168.

Report has only recently arrived in Addis Ababa of attempted detention and actual affront offered to Captain Hamé Erskine, British Consul at Corá in southwestern Ethiopia. Captain Erskine in February undertook an official

official trip from his post of Goré to the Sobat river post of Gambela. He detoured to call officially at the town of Sayo. He had not only the usual travel permits from King Taferi, but had similar papers from Ras Nado who is Governor of the Goré area.

Captain Erskine upon arrival at the outskirts of Sayo sent into the town, according to custom, a uniformed and armed Consular guard together with two or three peons. The guard carried a letter of introduction from Ras Nado to Dedjazmatch Mahonnen who is Governor of the Sayo area. The peons carried the usual gift brought always by one visiting official or notable to another according to Ethiopian custom. The gift may vary in kind but in this instance was a case of champagne.

Dedjazmatch Mahonnen immediately replied to Captain Erskine's note with one stating that he would not receive him and proposed to obstruct his journey. The note was written in a form of Amharic which is used when one Ethiopian wishes to be particularly offensive to another. The Consular guard had to submit to confiscation of his rifle and the five rounds of ammunition carried. The champagne was returned but in order to emphasize the affront the Dedjazmatch caused his customs guards to levy the usual customs or octroi duty as it passed the barrier into the open country. Erskine departed promptly on his journey to Gambela and was surprised in being able to leave Dedjazmatch Mahonnen's territory without detention.

detention. The Dedjazmatch either did not expect such prompt move on Captain Erskine's part or thought that he had offered sufficient indication of his feelings.

My British colleague in Addis Ababa informs me that Captain Erskine's report has only just arrived although the incident in question happened on February 21st, 1929. The British Legation is making a strong protest to the Ethiopian Foreign Office, demanding an apology and intimating that Anglo-Ethiopian relations could be considerably improved by the dismissal of the offending Governor. My British colleague appears quite indignant over the occurrence.

From other sources the Legation learns that the Dedjazmatch Makonnen thoroughly dislikes Ras Nado. As Captain Erskine carried a letter from the latter and resides in his territory the Governor of Sayo perhaps thought that by offering indignity to the British Consul he would indirectly offend and annoy Ras Nado. Another interpretation of the incident is that it resulted from a form of conspiracy among certain provincial governors to embarrass King Taferi and the central government. Some color is given this latter interpretation by the adherence of Makonnen to the party of the Empress which is basically anti-foreign.

Another interpretation to which the Legation looks is that the indignity offered Captain Erskine may have resulted from his own somewhat swashbuckling attitude towards

towards native Africans. He has spent many years in South Africa, in East Africa and in other parts of British colonial Africa as a government officer dealing with natives. He has acquired an attitude which towards the negroes of the territories in which he has heretofore worked could not effectively be resented but which among the free and proud Ethiopians either has or probably will get him into trouble. We know Erskine personally. He is socially accomplished and agreeable. Linked up with this interpretation is the probability that Dedjasmatch Makonnen thought to show by indignity to Captain Erskine the general Ethiopian dislike of preceding British Consuls at Goré, of whom the last two were considered particularly active and imaginative in their accounts of alleged slave raiding and trading.

The Dedjasmatch Makonnen is not yet an important man and probably owes his present appointment to the little governorship of Sayo to the belief of the party of the Empress that he may be useful to them. His family name is the same as that of the King. He is no relation. Makonnen as a family name is quite common in Ethiopia. This particular Makonnen is said to have progressive ideas among which is the building of a motor road through his territory. He is said also to be a bit pro-American from his acquaintance with the American Presbyterian missionaries who have a station at Sayo. Makonnen was born in Addis Ababa in 1896

1896 of a family of the small nobility. Being a comparatively young man little more is known of him to date. He has a brother who is quite close to King Taffari.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

File 800.
AES/sid.

t[illegible]nsa original.

DOCUMENT FILE

NOTE

SEE 884.00/153 FOR # 164

FROM Abyssinia (Southard) DATED Mar 23, 1929
TO NAME

1—1127

REGARDING: abandonment of proposed French motor expedition from Addis Ababa to Cairo when King Tafari would not guarantee unmolested passage to the Ethiopian-Egyptian border, indicating lack of ability to control outlying tribes.

884.00/164

INDEX BUREAU

b

DOCUMENT FILE

NOTE

SEE 031.11/4 FOR letter

~~FROM~~ Clyde Eddy) DATED Aug 2, 1929.

TO NAME

1—1127 GPO

INDEX BUREAU
8/111.88

REGARDING: Information relative to securing visaes and permits for expedition to Assuan via Ethiopia, French Samaliland, and other countries.

884.111 6*

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File 777.00 ...
11/26/29

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AE
W

NO. 121.

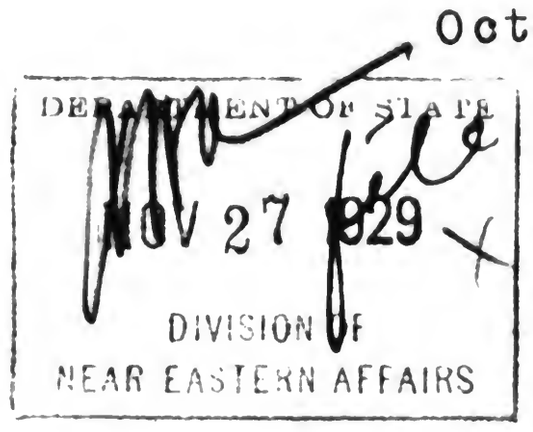
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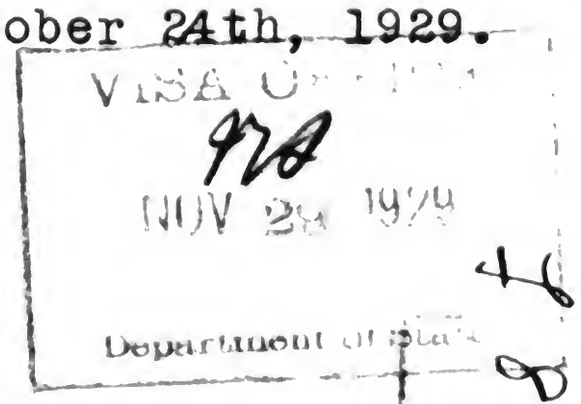


NOV 25 29

AMERICAN CONSULATE GENERAL,
Addis Ababa, Ethiopia.

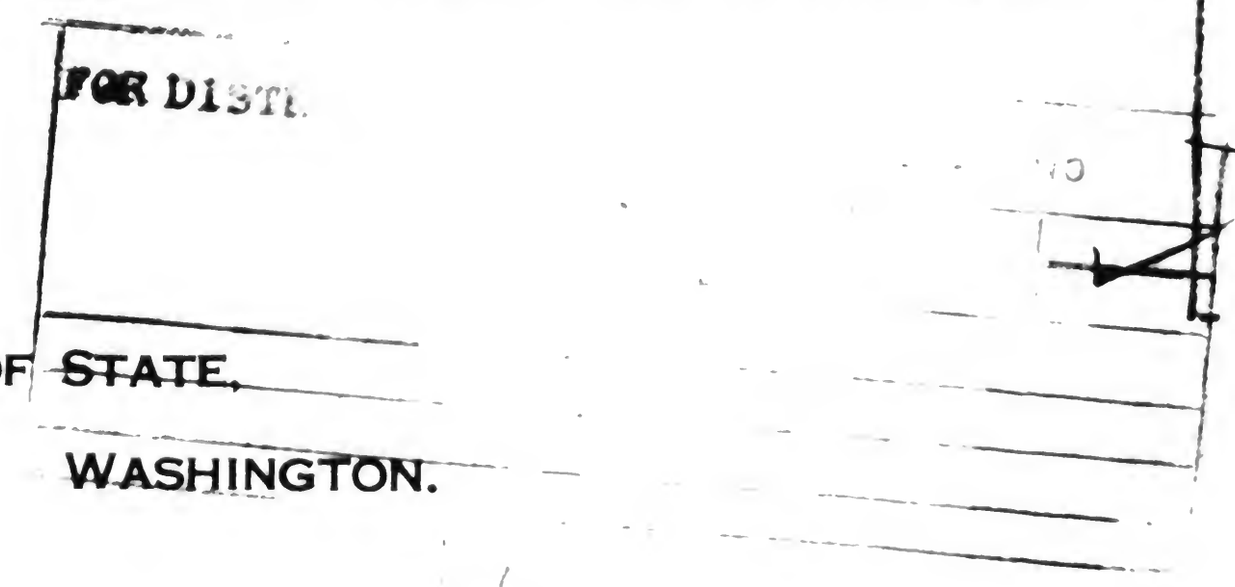
October 24th, 1929.





SUBJECT: Visas Required for Travellers to Ethiopia.

1—1221 ...



THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

24.111

I have the honor to refer to Consular Despatch No. 47 of January 2nd, 1929, from this office on the above subject and enclosing translation of an official notice issued by the Ethiopian Government.



The provisions for deportation of persons not having appropriate visas, contained in the original notice, have been objected to by the local Diplomatic Corps which has agitated for a modification. A new notice has accordingly been issued of which a translation is enclosed herewith. The new notice is in milder form in the respects objected to and requires a deposit of one hundred Maria Theresa dollars from the traveller who under the provisions of the original notice might have been more or less summarily expelled from the country.

The local British, French and Italian Ministers are not yet entirely agreed as to the acceptance of this requirement for a deposit of one hundred dollars. Their

main

main reasons are two in number. First, they fear that any of their nationals who are required to make such a deposit may find long delay and other difficulty in getting it back as the accounting methods between different offices of the Ethiopian Government are frequently inaccurate and evasive. Second, the natives of the Colonial territories of these three powers which adjoin Ethiopia make many visits backwards and forwards over the frontier but are not in a position to obtain either passports or a hundred dollars for the required deposit. Many of these British, French and Italian colonial natives are half wild tribesmen and obviously cannot be subjected to passport and visa formalities.

The local Legations concerned suspect some ulterior design of the Ethiopians in connection with tribal frontier relations but the Ethiopian Government has assured them that the new regulations are not intended to apply to the travels of nomadic tribesmen. However, it is not certain that the Ethiopian Government is in a position to control the application of these regulations once they are communicated to the provincial authorities as having official effect. Many of the Ethiopian provincial officials are ignorant and quite incapable of fair and tactful enforcement of such regulations. Some of them would doubtless find it possible to apply the regulations in a manner perhaps technically correct but intended to embarrass the central government. Only

time

time can tell as to how these regulations will work and as to whether they will be so applied as to confirm British, French and Italian suspicions. This Legation has taken no part in the actual discussions which the Diplomatic Corps has had as a body on the subject of these regulations, but the undersigned has been present at the meetings as a listener and as an observer.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD
Minister and Consul General.

1 Enclosure.

Enclosure with Despatch No. 121 of October 24th, 1929, from Addison E. Southard, Minister and Consul General at Addis Ababa, Ethiopia.

Translated from the French in BERHANENA SALAM, Year V, No. 41, October 10th, 1929.

OFFICIAL NOTICE.

Supplementary Dispositions to the Official Notice published on Tahsas 1st, 1921 (December 10th, 1928).

Concerning the Entrance of Foreigners into Ethiopian Territory, for commercial or other purposes.

------oOo-------

Article I.

In conformity with the Official Notice published on Tahsas 1st, 1921 (December 10th, 1928), all foreigners who desire to enter into Ethiopian territory must first apply to the Ethiopian Consulate established in the country from which they are leaving, to have their passports visaed. In case no Ethiopian Consulate exists in the country concerned, they must, in order to obtain their visas, apply to the Ethiopian Consulate in the adjacent country and if no Ethiopian Consulate exists there, they must apply to the Authorities of the Ethiopian Frontier Post.

Article II.

The Consulate or Authorities at the Ethiopian Frontier Post may, if they consider it necessary after inquiry, require an individual deposit of one hundred thalers of foreigners who wish to enter into Ethiopian territory. This deposit is destined to be used, when necessary, for the expenses of repatriation of the above mentioned persons. However, this deposit may be reimbursed to them upon their arrival in Addis Ababa if, after inquiry, it is decided to grant them a permit of residence and stay in Ethiopia.

Article III.

Any foreigner who is obliged, on account of his commercial or other affairs, frequently to travel on the Railway between Addis Ababa and Djibouti must present to the Ministry of Foreign Affairs a certificate issued by his consulate. Thereupon a special certificate valid

for

for one year shall be granted him against payment of one thaler. This permit is renewable on expiration of the annual period.

The provisions of the present Notice shall be enforced beginning on Tekemt 1st, 1922 (October 11th, 1929).

Done at Addis Ababa, Maskaram 25th, 1922 (October 5th, 1929).

BRITISH EMBASSY,

WASHINGTON, D. C.

No. 136.

February 25, 1922.

Sir:

I have the honour, on instruction from my Government, to draw attention to the present state of affairs in Abyssinia in connection with the shipment of modern fire-arms to that country.

I understand that there is now at Aden a consignment of American arms ordered in the United States and paid for by the Heir Apparent, Ras Taffari. This consignment consists of six machine guns, six repeating rifles and thirty thousand rounds of ammunition.

The importation of arms into Abyssinia has, since the war, been practically stopped by the operation of the Tripartite Treaty of 1906 between Great Britain, France and Italy, reinforced by informal arrangements between these Powers.

Ras Taffari has, however, been endeavouring since April last to obtain permission to import the consignment of American arms to which I have already referred. The French and Italian Governments have agreed to their importation. His Majesty's Government have not yet agreed

but

The Honourable

Henry P. Fletcher,

Acting Secretary of State of the United States,

Washington, D. C.

but have the matter under consideration. Should permission eventually be given by His Majesty's Government it will be in return for strict guarantees that the arms will remain in the personal possession of Ras Taffari.

In view, however, of the present conditions it is, in the opinion of His Majesty's Government, most undesirable that the importation of arms into Abyssinia except in the most restricted quantities, should be permitted. I feel sure that this opinion is fully shared by the Government of the United States and that it is unnecessary for me in any way to enlarge upon the unfortunate results which would be likely to flow from any widespread distribution of fire-arms in that country.

In the circumstances, therefore, I venture to express the hope that you may be disposed to move the competent authorities of the United States Government to take such steps as are necessary to impose effective supervision over the export of arms from the United States to Abyssinia.

I have the honour to be
with the highest consideration,
Sir,
your most obedient,
humble servant,

Y:I

No.

MAR 21 1929

Cecil M. P. Cross, Esquire,

American Consul,

Aden.

S i r:

The Department has received a note from the British Embassy at this Capital relative to conditions in Abyssinia and stating that the British Government considers the importation of arms and ammunition to Abyssinia most undesirable except in the most restricted quantities. A copy of the note, together with the Department's reply, is enclosed for your information.

You are requested to make a careful investigation of this matter and to report thereon for the information of the Department.

I am, Sir,

Your obedient servant,

For the Secretary of State:

884.113/-

WILBUR J. CARR

Enclosures:
Copy of note from and
to British Embassy

NE KC/LVD

884.113/-

A true copy of the signed original

March 20 1922

No.

Excellency:

I have the honor to acknowledge the receipt of your Excellency's note No. 136 dated February 25, 1922, calling attention to the present state of affairs in Abyssinia in connection with the shipment of modern firearms to that country and stating that His Britannic Majesty's Government considers the importation of arms and ammunition to Abyssinia most undesirable except in the most restricted quantities and expressing the hope that the Government of the United States would be disposed to take the necessary steps for imposing effective supervision over the export of arms from the United States to Abyssinia.

In

His Excellency

The Right Honorable Sir Auckland Geddes, K. C. B.,

Ambassador of Great Britain.

884.113/

In reply I beg to inform Your Excellency that a joint resolution to prohibit the exportation of arms or munitions of war from the United States to certain countries was approved January 31, 1922. The resolution provides:

> "That whenever the President finds that in any American country, or in any country in which the United States exercises extraterritorial jurisdiction, conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States, and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress."

You are no doubt aware that the United States enjoys the privilege of extraterritorial jurisdiction in Abyssinia.

However, I am not informed of the existence in Abyssinia of conditions of domestic violence which are or may be promoted by the use of arms or munitions of war procured from the United States. The American Consul at Aden, Arabia, has

been

been instructed to investigate this matter and to report the result for the information of the Department. If Your Excellency is in possession of any information relative to this matter, I shall appreciate receiving the substance of it.

It has been noted that His Britannic Majesty's Government considers the importation of arms into Abyssinia most undesirable except in the most restricted quantities. It may be said in that connection that as far as the Department is informed the only recent sale of arms or ammunition to Abyssinia by American interests is a quantity of six machine guns and six rifles with ammunition purchased by the Regent of Abyssinia for his own body-guard.

Accept, Excellency, the renewed assurances of my highest consideration.

Charles E. Hughes

884.113/-

ME KC/LVD

KC

So & Gr

3A

RMB

A true copy of the signed original.

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

March 4, 1922.

See memo in reply 3/10/22 also note to British Embassy quietly transmitted to file 8

Memorandum.

Mr. Turlington:

The Treaty of July 2, 1890 for the repression of the African Slave Trade in Article 8 and following, refers to the restriction of trade in arms and ammunition between the 20th parallel of north latitude and the 22nd parallel of south lattitude and westward to the Atlantic Ocean and eastward to the Indian Ocean. Article 12 appears to contemplate certain legislation to enforce the provisions of the Treaty. In view of the attached note from the British Embassy, it appears pertinent to inquire whether the Government of the United States has enacted any legislation for the enforcement of the Treaty. If such legislation exist it should probably be considered in preparing a reply to the note from the British Embassy.

On January 31, 1922 a resolution was approved by the President authorizing the restriction of trade in arms and ammunition to any American country or any country in which the United States exercises extra-territorial jurisdiction whenever conditions of domestic violence exist, which are or may be promoted by the use of arms or ammunition obtained from the United States. However a search of the files of the Department fails to disclose any information showing that conditions of domestic violence exist in Abyssinia. It might be advisable in replying to the British note to enclose a copy of our law and to state that the Department is not informed of the existence of domestic violence in Abyssinia. At the same time an instruction might be sent to the American Consul at Aden, Arabia, requesting him to investigate conditions for the information of the Department. An expression of your views with regard to the legal phases of this inquiry will be much appreciated.

KC/MNB

KR

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FILED
MAY 22 1922

DEPARTMENT OF STATE

THE SOLICITOR

March 10, 1922.

MR:

No legislation appears to have been enacted by Congress relative to the introduction of arms and ammunition into the area described in Article VIII of the General Act of July 2, 1890, for the Repression of the African Slave Trade. It is noted that in the Article mentioned "the Powers decide, so far as the present state of their frontiers permits, that the importation of fire-arms.....is..... prohibited". The language used seems fairly susceptible of the interpretation that the United States assumed no obligation to enact legislation looking to the prohibition of the exportation of arms for eventual introduction into the area described.

The Act of January 31, 1922, to which you refer, might be considered applicable with respect to Abyssinia, where the United States enjoys, but does not appear to have had occasion to exercise, the privilege of extra-territorial jurisdiction. Before measures for restricting the exportation of arms to Abyssinia could be adopted under this Act, it would, however, be apparently necessary for the President to issue a proclamation; and before issuing such a proclamation the President would doubtless require evidence that "conditions of domestic violence exist " in Abyssinia "which are or may be promoted by the use of arms or munitions of war procured from the United States". This office perceives no objection to your suggestions with respect to communicating with the British Embassy at Washington and the American Consul at Aden.

So-
884.113/

RT:MEB

INDEX BUREAU
884.113/—

DEPARTMENT OF STATE

THE SOLICITOR

March 8, 1922.

Mr. Turlington:

There is no legislation except the attached joint resolution of January 31, 1922, repealing the joint resolutions of April 22, 1898 and March 14, 1912.

Mr. Carlsen states that he has thoroughly searched the Index Bureau and finds no trace of any recommendations by the Department relative to the Treaty of July 2, 1890.

The position of the United States is stated in the third paragraph of the Senate Resolution of Ratification, appendix to the treaty which reads, in part, as follows:

> "Resolved further, as a part of this act of ratification, That the United States of America, having neither possessions nor protectorates in Africa, hereby disclaims any intention, in ratifying this treaty, to indicate any interest whatsoever in the possessions or protectorates established or claimed on that Continent by the other powers, or any approval of the wisdom, expediency or lawfulness thereof, and does not join in any expressions in the said General Act which might be construed as such a declaration or acknowledgment;"

~~It is probable that~~ apparently The United States has left ~~entirely~~ to the Powers having possessions in Africa the passage and execution of regulations relative to traffic in arms ~~as~~ in the territory denoted in Art. VIII of the above mentioned treaty. The wording of Art. VIII appears to have been used with the idea, principally, of prohibiting border-running. See also Arts. X and XIII. ~~It appears too that the regulations are to be made by the importing state. (Art. XIII)~~

FW. 884.

FEDERAL COUNCIL OF THE CHURCHES OF CHRIST IN AMERICA

Baptist Churches, North
National Baptist Convention
Free Baptist Churches
Christian Church
Christian Reformed Church in North America
Churches of God in N. A. (General Eldership)
Congregational Churches
Disciples of Christ
Friends
Evangelical Synod of N. A.
Evangelical Association
Methodist Episcopal Church
Methodist Episcopal Church, South
African M. E. Church
African M. E. Zion Church
Colored M. E. Church in America
Methodist Protestant Church
Moravian Church
Presbyterian Church in the U. S. A.
Presbyterian Church in the U. S. (South)
Primitive Methodist Church
Protestant Episcopal Commissions on Christian Unity and Social Service
Reformed Church in America
Reformed Church in the U. S.
Reformed Episcopal Church
Reformed Presbyterian Church, General Synod
Seventh Day Baptist Churches
United Brethren Church
United Evangelical Church
United Presbyterian Church

ROBERT E. SPEER, PRESIDENT
REV. CHARLES S. MACFARLAND
REV. SAMUEL M. CAVERT
GENERAL SECRETARIES
ALFRED R. KIMBALL, TREASURER

WASHINGTON OFFICE
BISHOP WILLIAM F. McDOWELL, CHAIRMAN
REV. E. O. WATSON, SECRETARY
937-941 WOODWARD BUILDING
WASHINGTON, D. C.
TELEPHONE: FRANKLIN 5464

DEPARTMENT OF STATE
MAR 9
DIVISION OF NEAR EASTERN AFFAIRS

March 7, 1922

T O: The Department of State

FROM: Rev. E.O. Watson

Attached you will find copy of a letter relative to a shipment of American rifles and shells to Abyssinia.

I am asked to inquire of the Department of State whether our Government has yet ratified the Convention of St. Germain dealing with the international trade in arms and if not, what is the attitude of our Government in regard to the exportation of American manufactured munitions to backward nations.

Sincerely yours,

E. O. Watson
Secretary

EOW.V

OCT 11 1922

COPY.

CRESCENT AVENUE
PRESBYTERIAN CHURCH

Plainfield, N.J.

JOHN J. MOMENT
Minister
815 Park Avenue

March 4, 1922.

My dear Dr. Macfarland:

The Living Age of March 4 carries a story, reproduced from the Westminster Gazette, January 18, 19, 20, setting forth conditions in Abyssinia, especially in the matter of the slave trade. The feature of peculiar interest to America is that the traders are dependent on America for their supply of munitions, importation from Europe being forbidden by international agreement. A shipment of American rifles and shells was lying at Jibuti when the article was written, the French authorities holding them up for the time being, but likely to pass them eventually rather than to invite friction with our government. I wonder if you have any information on these conditions, or can obtain such. If things really are as here represented, it would surely require no very great amount of publicity in order to compel our deliverance from so disgraceful a plight.

Most cordially yours,

JOHN J. MOMENT

Rev. Charles S. Macfarland
105 East 22nd Street
New York

March 22. 1922

The Reverend E. O. Watson,

937 Woodward Building,

Washington, D. C.

Sir:

The receipt is acknowledged of your letter of March 7, 1922, asking whether the Government of the United States has ratified the Arms Traffic Convention signed at Saint Germain-en-Laye, September 10, 1919, and requesting an expression of the views of this Government concerning the exportation of arms and ammunition from the United States to backward nations. Attached to your letter is a copy of a letter addressed to you by the Reverend J. J. Moment, of Plainfield, New Jersey, with reference to present conditions in Abyssinia, where slave traders are said to be "dependent on America for their supply of munitions, importation from Europe being forbidden by international agreement."

The Arms Traffic Convention has not been ratified by the United States. The restrictions provided for in the Convention have, however, been applied by this Government, as a matter of policy, so far as concerns the exportation of arms and munitions of war belonging to the Government.

The

The United States is, moreover, a party to the General Act for the Repression of the African Slave Trade, signed at Brussels, July 2, 1890, and subsequently ratified by the President, in accordance with the advice and consent of the Senate. This Act is printed on pages 1964 to 1992 of the second volume of the compilation entitled "Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and other Powers 1776-1909," published by the Government Printing Office. Article VIII of the Act reads as follows:

> "The experience of all nations that have intercourse with Africa having shown the pernicious and preponderating part played by fire-arms in operations connected with the slave-trade as well as internal wars between the native tribes; and this same experience having clearly proved that the preservation of the African population whose existence it is the express wish of the powers to protect, is a radical impossibility, if measures restricting the trade in fire-arms and ammunition are not adopted, the powers decide, so far as the present state of their frontiers permits, that the importation of fire-arms, and especially of rifles and improved weapons, as well as of powder, ball and cartridges, is, except in the cases and under the conditions provided for in the following Article, prohibited in the territories comprised between the 20th parallel of North latitude and the 22d parallel of South latitude, and extending westward to the Atlantic Ocean and eastward to the Indian Ocean and its dependencies, including the islands adjacent to the coast within 100 nautical miles from the shore."

The only legislation under which this Government could prohibit the exportation of arms and munitions of war by private persons and concerns appears to be that contained in a Joint Resolution of Congress approved January 31, 1922, which

which provides as follows:

> "That whenever the President finds that in any American country, or in any country in which the United States exercises extraterritorial jurisdiction, conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States, and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress."

Abyssinia, as you may be aware, is one of the countries in which the United States enjoys the privilege of extraterritorial jurisdiction. No proclamation has, however, been made by the President restricting the exportation of arms or munitions of war to Abyssinia, and this Government has not been informed that conditions of domestic violence exist in Abyssinia which are or may be promoted by the use of arms or munitions of war procured from the United States.

It should be added that, so far as the Department is informed, the only recent sale of arms and ammunition to Abyssinia by American interests is a quantity of six machine guns and six rifles, with ammunition, purchased by the Regent of Abyssinia for his personal body guard. This shipment is understood to be lying at the port of Djibouti.

I am, Sir,

Your obedient servant,

For the Secretary of State:

Robert Woods Bliss

Third Assistant Secretary.

Alvey A Adee.
MAR 22, 1922

A true copy of the signature in ink

So&G

88.113/1B

FRITZ G. LANHAM
12TH DIST. TEXAS

HOUSE OF REPRESENTATIVES U. S.

WASHINGTON, D. C.

BUREAU OF INDEXES AND ARCHIVES
RECEIVED
MAR 10 1922
DEPARTMENT OF STATE

DEPARTMENT OF STATE.
M.A.L. 9.
MAR 10 1922
DIVISION OF
NEAR EASTERN AFFAIRS

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March 9, 1922

The Honorable,
The Secretary of State,
Washington, D. C.

Dear Mr. Secretary:

I am in receipt of a letter from Miss Nell Andrew, Texas Christian University, Fort Worth, Texas, in which she says:

"In the 'Living Age' Vol. 312, March 4, 1922, is an article entitled 'Abyssinia, The Home of Slavery'. In the article appear such statements as these:
GENERAL:
'Abyssinia is the only remaining free and independent native state in Africa. It is also the last home of open slavery. Abyssinia is almost as large as France and Germany combined; it is the home of an ancient 'Christian' civilization; and it is one of the richest countries in the world.....
CONCERNING: AMERICA:
'p 508: Slave-raids,however,require rifles and ammunition, and as France, England, and Italy have bound themselves under the Arms Convention of 1919 not to supply munitions to the Abyssinians, it is only America who is now importing, or seeking to import, arms into the country... At this moment a large consignment of American cartridges and au-

tomatic rifles is lying at the French port of Jibuti, awaiting the consent of the French authorities to its transport into the interior, etc.'
'MUNITIONS, THEREFORE, ARE THE CRUX OF THE WHOLE QUESTION' p. 510.

'p. 511: America: Payment was made in advance three months ago and the cartridges and automatic rifles exported from the United States are now lying at the port of Jibuti, in French Somaliland, which is the terminus of the Abyssinian railway, waiting, as we said above, the permission of another 'Christian' Government for transportation to their destination'.

Please make inquiry at the State Department concerning this matter, and please furnish me correct information".

I shall appreciate it if you will advise me fully with reference to this matter in order that I may transmit the information to Miss Andrew.

I have the honor to be

Very respectfully yours,

Fritz G. Lanham

March 16, 1922

The Honorable

Fritz G. Lanham,

House of Representatives.

S i r:

I have the honor to acknowledge the receipt of your letter dated March 9, 1922, stating that you have received from Miss Nell Andrew, of Texas Christian University, Fort Worth, Texas, a letter in which Miss Andrew quotes from a recent article on Abyssinia, with particular reference to the slave trade in that country and to the alleged encouragement afforded the traffic in question by the export of arms and ammunition from the United States. You also ask for information on the matter, to be communicated in accordance with her request to your correspondent.

In reply I am glad to say that the Department has no reason whatever to believe that the impression conveyed by the quotations under reference is justified. The sole transaction which has come to the knowledge of this Department, involving the importation into Abyssinia of arms from the United States, is that of one small order placed

with

884.113/2

with a private firm by the Prince Regent of Abyssinia, for the equipment of his own body-guard. The firm in question very properly consulted the Department before accepting this order; and before approving it the Department took the additional precaution of referring the matter to competent military authorities, who expressed the opinion that the consignment was too limited to be of any importance for other than legitimate defensive purposes.

If other shipments have been made, which would appear improbable, the Department has not been informed of them.

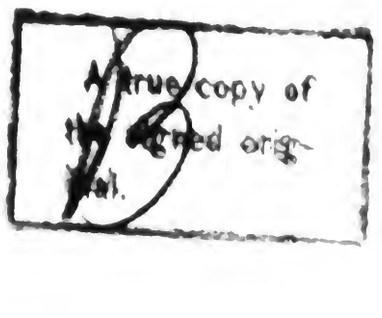
I have the honor to be, Sir,

Your obedient servant,

Charles E. Hughes

884.113/2

NE HGD/LVD



NOTE

SEE 884.00/111 for telegram from Great Britain

#113, 5pm., March 16, 1922 re:-

Reports that Great Britain suggests a tripartite agreement to France and Italy by which arms supplied to Abyssinia should be limited. France and Italy have not yet replied. No basis for report.

fed

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N O T E .

SEE 884.00/112 for
telegram #40, from Italy (Child)
dated March 18,1922 re:-

Recent understanding between Great Britain, Italy, and France to prevent importation of arms into Abyssinia.

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Copy & Enclosure to Treasury 1922
Acting Secretary of State
Washington, May 17, 1922

Office of Economic Adviser
JUN 24
DEPARTMENT OF STATE

DEPARTMENT OF STATE
JUN 8 1922
DIVISION OF
WESTERN EUROPEAN AFFAIRS

DEPARTMENT OF STATE.
JUN 16 '22
DIVISION OF
NEAR EASTERN AFFAIRS.

Department of State.
JUN 22 1922
Division of
Political Information

FILED
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No. 1279

London, May 4, 1922.

The Honorable

The Secretary of State,

Washington.

Sir:

With reference to the Department's Strictly Confidential Instruction No. 467 of April 6th last, concerning Abyssinian affairs, I have the honor to transmit herewith three articles published in the London "Westminster Gazette" of January 18, 19 and 20, 1922, dealing with the question of the importation of munitions into that country, which articles are referred to in despatch No. 21, of March 8, from the Consul at Aden to the Department.

I have the honor to be, Sir,
Your obedient servant,
For the Ambassador:

Counselor of Embassy.

Enclosures:
3 as above.

PAPER: "WESTMINSTER GAZETTE : JANUARY 18, 1922.

CITY: LONDON

SUBJECT: "ABYSSINIA TODAY

I. THE HOME OF SLAVERY.

SUMMARY:

ABYSSINIA TO-DAY.—I.

THE HOME OF SLAVERY.

AMERICAN MUNITIONS FOR SLAVE RAIDING.

(From two Correspondents lately in Abyssinia.)

Abyssinia is the only remaining free and independent native State in Africa. It is also the last home of open slavery. In its capital, Adis Ababa, there are more slaves than free men. The British Legation itself is full of slaves, owned by the Legation servants, who would not take service if they were not allowed to bring their chattels with them. The Legation compound is British soil, yet not only do slaves who enter it not become instantly free, but if they have escaped from their owners, their owners can and do enter it without hindrance to recapture them. That is an odd enough fact; but a still odder one is that a great many of these slaves are British subjects captured by slave-raids into British territory. Slave-raids, however, require rifles and ammunition, and as France, England, and Italy have bound themselves under the Arms Convention of 1919 not to supply munitions to the Abyssinians, it is only America who is now importing, or seeking to import, arms into the country—arms destined mainly to fill the great Abyssinian slave-markets. At this moment a large consignment of American cartridges and automatic rifles is lying at the French port of Jibuti, awaiting the consent of the French authorities to its transport into the interior, and there is reason to believe that the French authorities, not being very much in love themselves with the Arms Convention and fearing an "incident" with the American Government—which probably knows nothing at all of the affair as yet—may shortly give their consent.

THE MENELIK REGIME.

So scandalous a state of affairs has not, of course, arisen suddenly. It is only a natural outcome of the general conditions which exist in Abyssinia today; and the situation cannot be explained or understood without some reference to the recent history of the country. Abyssinia owes the preservation of her independence partly to the inability of the neighbouring Powers to agree on any line of policy as to her future, and partly to the great natural capacity and enlightenment of the Emperor Menelik, who ruled the country for nearly a quarter of a century from 1889 to 1913. Menelik built Adis Ababa, laid out metalled roads, promoted the construction of a railway from the coast, installed a system of telephones, built bridges and corn-mills, introduced a water-supply, issued an edict against slavery, established a bank, a school, and a hospital in the capital, and imported teachers and doctors from Egypt and elsewhere. Above all, he established a system of law and order throughout the country, and maintained his authority over the provincial governors and sub-chiefs. But no sooner had he died, nine years ago, than his work fell to pieces with almost incredible rapidity, and already Abyssinia has relapsed into a state that approaches barbarism. The roads have been left unrepaired, the bridges have crumbled, the water mains have become choked up, the mills are mostly out of order, except a few which have been sold to foreigners, the hospital is in ruins, the school has practically ceased to function, and the great trunk telephone system is monopolised by the present Regent for his own private use. The Central Government exercises no authority that is worth mentioning at a greater distance than ten miles from the Palace; and in the capital itself the inhabitants enjoy little or no security either for their persons or for their possessions, so that even the Legations have to be constructed more like forts than like private residences.

After Menelik's death there followed three years of civil war. In 1914 Lij Yasu, grandson of the great emperor, threw in his lot with the Turks and Germans. This led to his downfall, since the Abyssinians, being fanatical (Coptic) Christians, objected to the alliance with Islam; and in 1916, after a successful insurrection, Zaiditu, a daughter of Menelik, became Empress, with Ras Tafari as Regent and Heir-Apparent.

AFTER MENELIK.

This régime has lasted to the present time, but whether it will last much longer is doubtful. Under the rule of Tafari the whole country, as has already been indicated, has fallen into corruption and decay. The remnants of the Menelik civilisation are steadily disappearing. No Abyssinian, for example, nowadays, from the Regent to the lowest slave, adopts the slightest measure of ordinary sanitation. The road through the Royal Palace at Adis Ababa, up which the Foreign Ministers with their glittering staffs pass to pay their court to the Sovereign to whom they are accredited, is littered with nauseous and malodorous filth. The open spaces in the Palace grounds serve as a mere latrine for the thousands of waiting soldiers, suitors, and attendants with which they are normally crowded. As Major Athill stated in a recent address to the Royal Geographical Society, "Despite all the evidence of foreign enterprise, the Abyssinian lives in a state of insanitary squalor, nowhere more marked than in the precincts of the Royal Palace."

Meanwhile in the provinces there is no pretence of the maintenance of order. Brigands abound, and between brigands and local chiefs—owing merely nominal allegiance to the central government—there is often not much to choose. If life and property are not safe in the capital, they are still less safe anywhere else. In the days of the Emperor Menelik a child might leave Adis Ababa with his cow and drive it to the confines of Abyssinia without fear of molestation. To-day it is scarcely an exaggeration to say that even a European picnic party cannot afford to be without lethal weapons. And if a slave ventures outside his master's compound he is liable to be captured and resold in some distant market. In short, there is nothing in Abyssinia that can be described as "order," and as for the "law," it is quite useless to appeal to it unless the complainant is rich enough to purchase the justice he seeks, and even then it may still be useless if the defendant happens to have a powerful protector. In further articles we shall describe Abyssinian "justice" more fully, and the obstacles which it places in the way of the European trader. Also we shall describe the nature and extent of the slave trade as we have ourselves witnessed it. Here we need only add that, apart from a few of the historical details already mentioned, we have relied upon nothing but our own first-hand information. It is hard for outsiders to get the truth about Abyssinia because it is not worth the while of any "insider" to tell it. Traders who attempted to tell it would be black-listed and probably expelled from the country; and as for officials, we know only too well, and much regret, the serious trouble which these very articles are likely to cause to the staff of the British Legation. But no one, we are assured, who has spent even three months in Abyssinia will question the truth of what we have written; and if the importation of arms from America is to be stopped it is necessary that the civilised world should know the facts about the present Abyssinian régime.

PAPER : WESTMINSTER GAZETTE : JANUARY 19, 1923.

CITY : LONDON

SUBJECT : "ABYSSINIA TODAY"

II. IMPOSSIBILITY OF TRADE.

SUMMARY :

ABYSSINIA TO-DAY

II.—IMPOSSIBILITY OF TRADE.

SLAVE TRADING AND BRIGANDAGE.

PEOPLE WHO LIVE BY BRIBERY.

(From Two Correspondents lately in Abyssinia.)

Trade conditions in Abyssinia are, to put it mildly, uncertain. There is no stability, nor at present any foundations upon which a stable commercial system could be built up. Abyssinia is almost as large as France and Germany combined; it is the home of an ancient "Christian" civilisation; and it is one of the richest countries in the world—richer, we believe, than any other country in Africa of similar size. Yet it is decaying. Va st areas are going out of cultivation, partly owing to brigandage and partly to slave-raiding. One of the writers recently passed through an outlying district, which, when he first visited it ten years ago, was a remarkably prosperous and populous country. The soil was so fertile that the hills were terraced for cultivation. To-day it is possible to march through this district for days without meeting a single human being: the terraces are still there, but the people who should be sowing and reaping are either dead or slaves in the capital. The whole countryside is abandoned to the jackals and the hyaenas.

Cash Down Bribes.

A European business man coming to Abyssinia has a great deal to learn before he can hope to establish successful trade of any sort. As a rule he imagines that he must enlist the financial interests of the Abyssinians and show them that his undertaking will directly benefit them as well as himself. But that, as he soon discovers, is a fallacy, for the simple reason that in the unsettled conditions which prevail no Abyssinian can afford to look twelve months ahead for the benefits that he is promised. He wants cash down. The new-comer usually begins by giving the Regent a large and expensive present (which must include not less than one modern rifle) and in return obtains a passport authorising him to travel and trade in the interior. But almost before he has completed one day's march he finds that his "passport" is a sure source of trouble and [illegible] all along the road. For the writ of Ras [illegible] does not run outside the environs of the capital. The local Governors are virtually independent, and the sub-chiefs will not recognise the Regent's letters or passports unless they are endorsed by their immediate superiors. Each Governor, or Ras, is a little King and a law unto himself. He taxes the people as he thinks fit and passes what laws he likes; and only refrains from declaring his independent sovereign authority on the principle of letting sleeping dogs lie. In every district, therefore, the European trader has to obtain new passports and new trading licences, and even when he has obtained them, and paid for them, he cannot tell for how long or how far they will serve his purpose.

All Must be Squared.

Outside the capital regular salaries are unknown. The officials live on their perquisites, and all of them, tax-collectors, police, Customs officers, and even judges, must be squared before any sort of developments can be attempted. The Customs Houses are scattered all along the main trading routes, and those in outlying districts are particularly obnoxious, their methods often closely approximating to those of the highway robber. The European trader may attempt to interest the local Governor by a gift of shares in his company, but such efforts are only a waste of time and paper. For what the Governor, like everyone else, wants is cash. He does not know how long he will remain in power, and his one idea is to "salt down" every dollar he can get hold of, by fair means or foul, before his inevitable overthrow—and after him the Deluge.

Suppose that the European trader desires a mining concession. He will first approach the Regent and purchase the concession, probably with the help of his Legation. This will be a lengthy and expensive proceeding, and at the end of it the Regent will cease to interest himself in the matter, knowing full well that the concession is valueless owing to the certain opposition of the local Governor. Indeed, after a month or two he will not hesitate to sell the same concession over again to a second or even a third *concessionaire*, since he knows that though he cannot control the provincial Governors he can safely count upon them to do their utmost—which is enough—to keep the white man out.

Feathering His Nest

For such difficulties the Courts offer no redress. No Abyssinian Judge, however heavily he may have been subsidised—and, of course, he will always accept what is offered—can give a decision in favour of a European against a local Governor or Chief. The Judge must live, and he feathers his nest while he can. He will give judgment for a European who offers more ready cash than his opponent, provided the opponent is not the local Ruler, but naturally he will not risk deposition from a very profitable office if he can help it. From our standpoint this is the worst sort of "bribery and corruption," but the Abyssinian does not view it in that light. He sees no more dishonesty in it than we do in the vote-catching opportunism of our politicians in this country. It is simply a matter of custom. It checkmates the European trader, but that, from the Abyssinian point of view, is scarcely a disadvantage.

On the criminal side Abyssinian justice is not more reputable. From the European point of view it is mediæval in its methods and purely barbarous in its punishments. The police system affords to its members every facility for theft, blackmail, and highway robbery, but it affords no sort of protection to the community which it is supposed to serve. The recognised punishment for repeated theft—when it is not corruptly condoned—is the same to-day as it was centuries ago—namely, amputation of the right hand and of the left foot through the ankle, carried out in the open market place. A theft of oranges from the Empress's larder was punished as recently as last May with death by hanging. And it is only five years since an old woman was buried alive in the market place of the capital for the crime of witchcraft. Hangings and executions are still carried out in public every week with all the brutality and ferocity of the dark ages, and the sight of the suspended bodies is one of the side-shows on market days in Adis Ababa. Sentences of imprisonment in the town gaol, even for short periods, are usually sentences of death, for the prisoners are herded together to the number of perhaps a hundred and fifty in a cell about forty feet by twenty. They are dependent, if they have no money, entirely on charity for their food, and most of them, if they do not die of starvation, die of typhus or smallpox.

We do not wish to make the picture too dark. Africa is Africa, and it is not entirely fair to apply European standards to a purely African State. But the question of slavery—to which we must always return—is one of the absolutes about which, from the British point of view at any rate, no compromise can be admitted. It is an abomination which, though natural enough in the conditions which prevail to-day in Abyssinia, cannot, once it has been seen, be tolerated on any terms. The local British representatives cannot be blamed for facts with which they are powerless to interfere, but it is hard to understand why the British Foreign Office has not thought it necessary at the very least to register some protest against conditions of which it is fully aware. That slaves should be recaptured and re-enslaved within the very precincts of the British Legation at Adis Ababa is wholly intolerable. There must be some way out of such a situation. We shall discuss the question of slavery in more detail in our next and final article.

PAPER: WESTMINSTER GAZETTE : JANUARY 20, 1922.

CITY: LONDON

SUBJECT: "ABYSSINIA TODAY"

III. BRITISH SLAVES IN BRITISH LEGATION.

SUMMARY:

ABYSSINIA TO-DAY.

III.—BRITISH SLAVES IN BRITISH LEGATION.

CHAINED GANGS OF CAPTIVES.

STOP IMPORTATION OF MUNITIONS.

(*From Two Correspondents lately in Abyssinia.*)

Abyssinia, as we have said, is the last great home of slavery in Africa, and therefore in the world. And so strongly is it entrenched that the famous doctrine of freedom under the British flag is of no effect in the Abyssinian capital. The soil of the British Legation does not differ in this respect from the soil of the Regent's Palace. Slave-raiding and slave-trading have increased in Abyssinia by leaps and bounds during recent years, and to-day it is possible for any visitor to witness in Adis Ababa the worst forms of slavery that have ever cursed the Dark Continent—slavery open, cruel, and fiendish, unfettered by European interference and hardly discountenanced by the Foreign Offices of the European Powers.

Few people can realise all that slavery means. A slave, once secured, is a valuable asset who must be cared for and fed—as long as he is able-bodied—as carefully as a horse or a cow; and his actual physical existence need not be intolerable. But when we look at the slave-raiding and slave-trading which precede slave-owning and at all the horrors which these processes involve, the impossible cruelty of the whole system becomes apparent. The early morning raid by a hidden band on a peaceful sleeping village, the smoke of the burning huts, the cries of the women and children, the death or wounding of the men—all these things are still to be seen in all their pristine reality on both sides of the borders of Abyssinia.

Dead and Dying Left Behind.

Long lines of slaves marching in misery, often chained together in rows, and women and children dragging themselves along beside the main body, can be seen by any traveller in Southern Abyssinia to-day. Some of these slaves are captured on Abyssinian territory, some in British East Africa, others in Anglo-Egyptian Soudan. The gangs are not large as they used to be, because the border districts have been depopulated. One of the writers of these articles has seen with his own eyes a column of a thousand slaves marching to the great slave market of Jimma; and in the course of a single day's march along the trail he has counted the dead and dying bodies of more than fifty captives who have dropped by the roadside. For on such journeys there is no commissariat department, and those who carry no supplies can hope only for a merciful spear since the alternative is death by thirst or by the teeth and talons of wild beasts.

These things we have seen. And we have seen also hundreds of square miles of territory utterly depopulated by Abyssinian raids. Most of this territory is within the confines of the Abyssinian Empire, but part of it is within the British Empire. The facts, we repeat, are not unknown to the British Foreign Office. We can give whatever details may be necessary. Abyssinian raids into the country south-west of the Boma plateau in the British Soudan are constant, and within the last six months there have been several raids into the Kenya Colony. The depopulation of the border and the absence of adequate police forces tempt the Abyssinians to advance further and further; and on one occasion at least they have penetrated no less than 120 miles into British territory. In regard to certain incidents the British Government has claimed reparation, but it has never obtained the payment of a single dollar or the repatriation of a single British slave. A claim for £5,000 in respect of the death of Captain Aylmer, who was killed by Abyssinian raiders, east of Lake Rudolf, in Kenya Colony, in 1912, has been constantly pressed, but is still totally disregarded. Nor has any reparation or apology been forthcoming for the wounding of Captain Lloyd Jones in Kenya Colony in 1911. And the Abyssinian Governor who was responsible in 1916 for an attack upon the King's African Rifles fifty miles within the British border, though he was momentarily recalled at the instance of the British Government, has since been rewarded with a new title and restored to his old post.

Gift of Slaves.

Other specific incidents might easily be cited, but it is not our purpose here to give anything more than a general outline of the position. The border provinces of Abyssinia are controlled by gangs of robbers and slave-traders, who are responsible to nobody, though they occasionally pay tribute to the Central Government. Only the other day the Regent in Adis Ababa received a present of 140 slaves, most of whom were children, of both sexes, between the ages of six and fourteen, though a few were adult women with babies at the breast. And even the European inhabitants of the capital can hardly avoid becoming slave-owners. For if a slave is given to you you cannot emancipate him (or her) however much you may wish to do so. You may pay him wages to salve your conscience, but the process of emancipation is practically unknown, and if you set your slave free, he is certain to be captured and again enslaved by someone else.

From this difficulty there is no obvious way out. Short of a deliberate and comprehensive assertion of European authority, which—in view of the results of the Battle of Adowa—could not be carried through without a very substantial demonstration of physical force, there appears to be no way by which the existing system of slavery in Abyssinia can be abolished. But there is one thing that is obviously possible, and that is the prevention of the importation of arms and ammunition. The Abyssinians possess millions of modern rifles, but their stock of ammunition has fallen very low indeed—possibly even as low as five rounds per rifle of the regular army—and when it is exhausted their power to raid and depopulate fresh areas, whether in British or in Abyssinian territory, will be destroyed at the same time. Munitions, therefore, are the crux of the whole question. The European Powers have contracted not to supply Abyssinia (amongst other African countries) with munitions, nor with materials for their manufacture, but America, unluckily, has not signed the contract; and so it is to America that the Abyssinian Government has lately turned. Payment was made, in advance, three months ago, and the cartridges and automatic rifles, exported from the United States, are now lying at the port of Jibuti, in French Somaliland, which is the terminus of the Abyssinian railway. The French authorities on the spot are not enthusiastic about the Arms Convention, and are inclined to suggest that it was only accepted owing to British pressure. They object, however, to its infringement by the United States—since if cartridges are to be sold they have plenty of their own that they would like to sell—and as far as we are aware they have not consented as yet to the importation of these American munitions through French territory. But they may consent at any moment unless London and Washington are aroused to the true state of affairs. The purpose of these articles is to describe the position as it appears, not merely to the writers but to every European who has spent even a short time in Abyssinia. If on any aspect of the question we have failed to convey a sufficiently precise view of the facts, we shall be glad to do our best to remedy the defect. Meanwhile, we hope that the American public will realise what is being done in their name, and that the British public will face the intrinsically impossible situation created by the presence of British slaves in the British Legation at Adis Ababa.

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No. 563

June 21 1922

The Honorable

George Harvey,

American Ambassador,

London.

S i r:

The Department has received and has noted with interest three articles from the WESTMINSTER GAZETTE on Abyssinia, with special reference to the slave trade and to the arms traffic in that country, which were enclosed with the Embassy's despatch No. 1279 of May 4, 1922.

In this connection it is desired to inform you that the Department has received from the Consul General at London the text of a letter addressed to him by the Prince Regent of Abyssinia, protesting against the allegations of the WESTMINSTER GAZETTE. A copy of the Consul General's despatch and of the Department's reply are enclosed herewith for your information.

You are further informed, with reference to the Department's instruction No. 467 of April 6th last, that according to advices received from the Embassy at Rome, officials of the Italian Foreign Office deny the truth of reports concerning the projected partitionment of Abyssinia.

I am, Sir,

Your obedient servant,

For the Secretary of State:

WILLIAM PHILLIPS

Alvey A. Adee

June 19, 1922.

Enclosures: 2
As stated above.
884.113/5 HH HGB/LWB

884.113/5

SOLICITOR'S OFFICE
JUN 13 1922
DEPARTMENT OF STATE

No. 34.

CONSULAR BUREAU
JUN 28 1922
DEPT OF STATE

AMERICAN CONSULATE,

Aden, Arabia, April 28, 1922.

SUBJECT: Advisability of Prohibiting the Export of Munitions from the United States to Abyssinia.

THE HONORABLE
THE SECRETARY OF STATE,
WASHINGTON.

SIR:

I have the honor to acknowledge the receipt of the instruction of the Department directing that an investigation and report be made on the advisability of prohibiting the export of arms from the United States to Abyssinia.

Accurate information as to what is occurring in Abyssinia and as to conditions there is difficult to obtain in Aden. Several business houses have branches or agencies in Abyssinia, and occasionally individuals come to Aden on business. It is the universal expression of opinion gathered from these sources that affairs in Abyssinia are in a very bad state. For the time being there is no civil war but the petty traders in Dire Dawa and other places are on the verge of starvation, and other classes of the population are in great distress. Such conditions may obviously produce serious trouble. The authority of the central government is none too strong and it has difficulty in controlling outlying chiefs. Slave hunting in the south is still going on and large districts have already been desolated and depopulated. A similar fate is meeting still other areas. The most of the raiding is done either by or under the direction of the true Abyssinians

and

FILE
JUL 1 1922

and is at the expense of the Gallas and other conquered black tribes in the south. The supremacy of the true Abyssinian depends on his possession of fire-arms. Without them it would be very difficult for them to prevent being again over run by the black tribes, as they were before they secured such weapons.

The promiscuous discharge of firearms characterizes the nights even in Adis Abeba. It is the ambition of every Abyssinian to own a gun of some sort and next to that a slave to carry the gun. Every man of any position goes armed. Armed house guards are necessary even in the cities to prevent robbery by armed desperadoes.

There seems to be no serious doubt that the existing conditions in Abyssinia are such as to furnish sufficient grounds for putting into force the joint resolution, forbidding the export of arms "if conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States."

It is also believed that although the triparte arms agreement between Great Britain, France and Italy has not been rigidly enforced in all cases, it has very materially contributed to restrain inter-tribal warfare, and to some extent slave raiding. There is no doubt that there is far less tribal fighting in Abyssinia than in the interior of Arabia, where it is even more general and necessary for every man to be armed. The supply of ammunition available is reported to have been very greatly curtailed, and few individuals are now in possession of more than a cartridge belt full.

The

The question of the putting into operation of the resolution in the case of Abyssinia is one of policy rather than of fact. It is a generally expressed opinion that it is no affair of the powers in general or the United States in particular as to how or to what extent domestic war exists in Abyssinia. It is difficult to reconcile this attitude with the extensive commercial interests which the United States indirectly has in Abyssinia, though the sale of cotton cloth, and the purchase of skins, hides, coffee, and other products.

As a matter of personal opinion, it is believed that it is the moral duty of the United States to cooperate with the other powers in seeking so far as possible to prevent slave raiding, and general fighting by joining them in the prohibition of the export of arms to Abyssinia.

In this connection it should be borne in mind, however, that there is a possibility that such an action might be utilized by the powers in their partition plans, by keeping the Abyssinians more or less unarmed. The readiness of the French and Italians to grant permission for the shipment in question to enter the country is most unexpected and the motives are not by any means clear as yet.

On the other hand if the central government is to retain its authority, and the country is not to fall apart into tribal fragments, and general anarchy, the government at Adis Abeba must be allowed to have a certain amount of arms and ammunition. How great this amount ought to be, is quite impossible for any one at the distance of Aden to say. If it should be decided to cooperate with the three powers and

impose

impose the suggested prohibition, it is most earnestly urged that in the absence of any American representative in Adis Abeba that no exceptions in favor of the Abyssinian government be made, because of the impossibility of any one on the spot judging as to needs or checking up in any way the actual use to which the arms are put. In a wild country such as parts of Abyssinia, a certain quantity of arms are needed against wild beasts and as stated above the central government undoubtedly requires some supplies, but the denger of abuse of any such exceptions is so great that unless some representative is on the scene, it would be better for the reputation of the United States and of the peace of the country, if the supplying of these be left to the countries who have representatives at Adis Abeba.

As a matter of fact the imposition of such a prohibition would cause but little practical difference, because the shipment now lying in Aden is so far as is known the only one from the United States in recent years, and was the direct result of a most unusual visit by a representative of the Government of Abyssinia to the United States. Furthermore, entry into Abyssinia is impossible except through territory under the control of the powers already party to the arms agreement. The prohibition would, however, effectively prevent any possibility of the development of a trade, in the future.

9 Tons in 1919, Artificial rubber came over, was bottled around by Tarler, and unluckily ran into the Cold Wind — in New York. H.S.J.

I have the honor to be, Sir,

Your obedient servant,

Cecil M. Cross

American Consul.

File No.800.

June 10, 1922.

Cecil M. P. Cross, Esquire,

American Consul,

Aden, Arabia.

Sir:

The Department has received your despatch No. 34, dated April 28, 1922, relating to the exportation of arms and ammunition to Abyssinia.

The contents of your despatch have been carefully noted. While the Department does not contemplate taking any further action at the present time, you are instructed to transmit any additional information that may become available concerning this matter. It is especially important that the Department be kept fully informed regarding the shipment of American arms and ammunition now apparently lying at Aden and any attempt to forward it to the authorities in Abyssinia.

884.113/6

I am, Sir,

Your obedient servant,

For the Secretary of State:

WILLIAM PHILLIPS.

Alvey A. Adee
June 10, 1922.
JUN 17 1922
JUN 21 1922

884.113/6

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A true copy of the signed original.

NOTE

See 884.00/117 for despatch from Italy(Gunther)
#307 of May 15,1922re-

FO states that statement of British Amb.at Washington that French and Italian Govts.have agreed to importation of the small consignment of arms from U.S.is not altogether correct. FO requests copies of notes between Department and British Embassy concerning-.

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DEPARTMENT OF STATE
JUL 3 1922
DIVISION OF
NEAR EASTERN AFFAIRS

SECRETARY OF STATE
JUL 1 1922

NEAR EASTERN AFFAIRS
DIVISION OF
JUL 3 1922
DEPARTMENT OF STATE

BRITISH EMBASSY,

WASHINGTON, D. C.,

June 29, 1922.

No. 493.

November 6 1922

Sir:

In a note which you were good enough to address to me on the 20th of March last you observed that you were not informed of the existence in Abyssinia of conditions of domestic violence which are or may be promoted by the use of arms or munitions of war procured from the United States and you requested to be furnished with any information in the possession of His Majesty's Embassy in regard to this matter.

FILED
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On receipt of your note Sir Auckland Geddes did not fail to communicate with his Government in regard to this matter and I now have the honour to transmit, for your information, a memorandum which is based on information recently received from His Majesty's Minister at Addis Ababa in regard to the present situation in Abyssinia.

In view of the particulars given in the memorandum, I venture to express the hope that the United States Government will now be disposed to take the necessary steps to impose effective supervision of the export of arms from the United States to Abyssinia.

I have the honour to be

with the highest consideration,

Sir,

Your most obedient,

humble servant,

H. G. Chilton

The Honourable
Charles E. Hughes,
Secretary of State
of the United States,
Washington, D.C.

RLC:MC.

MEMORANDUM

Objections to the importation of arms into Abyssinia arise from the type of civilization attained by that country, which is now at a stage comparable to the Dark Ages in Europe. Under such conditions standing armies and organized armed forces are unknown. Every man (in the case in point every man of the dominant Amhara race) whatever other calling he may have, is primarily a soldier, and as such his ambition and duty is to possess a rifle. This state of things led in past years to large importations of rifles. The number in the country has been estimated at a million, owned among a population which may amount to some eight millions of whom perhaps half are Amharas, and the rest subject races. Experience has shown that this widespread distribution of fire-arms leads to crime because the possession of such weapons, from the advantage they afford to an aggressor, is in itself an incentive to lawless acts. His Majesty's Government know this by reason of the extent of the Anglo-Abyssinian frontiers. There are portions of the Sudan border where the great difficulties of effective administration allow Abyssinian robbers habitually to disregard the boundary. They enter British territory, raid cattle, kill elephants, and, on occasions, carry off the native population into slavery. It is solely the superiority derived from the possession of fire-arms which

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allows these proceedings. The lawlessness of the Abyssinian soldiery, and the presence of robber bands on the Kenya frontier has been a source of special trouble to His Majesty's Government. In the nine years preceding 1920 nearly a hundred armed incursions into British territory were recorded. British tribesmen were killed and their property looted, and on one occasion a British officer was killed. It is true that urgent representations by His Majesty's Legation in Addis Ababa led in the past year to effective action being taken by the Abyssinian Government, and a marked improvement has resulted as regards this particular focus of disorder. But a recurrence of trouble is always possible, and His Majesty's Government are most anxious that fresh supplies of arms should not find their way into the district.

As regards the frontier of British Somaliland, the United States Government have doubtless heard of the Mullah Mohammed Abdullah Hassan, who for twenty years disturbed the peace and security of that Colony. Experience showed that this chieftan's arms were almost entirely derived from Abyssinian sources. His activities have now ceased, but the territory bordering on Somaliland, though nominally Abyssinian, remains a no-man's land inhabited by warlike nomads, the possession of arms by whom can only stimulate inter-tribal fighting and raiding, to the ruin and misery of the more defenceless and peaceful population.

Apart from the facts abovementioned, as regards

which

which His Majesty's Government have a special knowledge and interest it appears that, following on the death of the Emperor Menelik and the internal disturbances which ensued, public security in Abyssinia has decayed.

The roads are often unsafe for native travellers. There are districts which are terrorized by armed bands of Abyssinian outlaws who hold up caravans, and prey upon the defenceless Galla and Negro populations. The weakness of public authority and consequent want of security stimulate the demand for arms, while the possession of arms, on the principle that the "means to do ill deeds makes ill deeds done", completes the vicious circle by increasing the evils in question. His Majesty's Government would emphasize the point that the Abyssinian Government are unable to control the destination of arms imported into the country; the larger such importations are the more widespread will be the distribution, and the greater the likelihood that arms will find their way into wrong hands.

In the opinion of His Majesty's Government exception should be made solely as regards such small supplies of modern arms as are needed by the Central Government itself for the maintenance of order, the suppression of rebellion, and the general exercise of its legitimate authority. These can be furnished under inter-national supervision with the assurance that they will be applied to the intended purpose. His Majesty's Government submit that it should be left to the British, French and Italian Governments, whose position

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as limitrophe Powers gives them a special interest in the matter, to regulate these supplies in consultation and by arrangement among themselves. The Government of the United States are aware that the three Powers in question have agreed to maintain the integrity of Abyssinia. That country is, therefore, not exposed to external aggression, or in need of arms to defend itself against peril from without."

BRITISH EMBASSY,

WASHINGTON, D. C.,

June 29, 1922.

1112

November 6 1922

Excellency:

I have the honor to acknowledge the receipt of your Embassy's note of June 29, 1922, transmitting a memorandum based on the reports from His Majesty's Minister at Addis Ababa relating to the domestic situation in Abyssinia. The hope was also expressed that, in view of the information furnished in the memorandum, this Government might be inclined to impose effective supervision of the export of arms from the United States to Abyssinia.

In reply I have the honor to say that as a note on the same subject was received from His Majesty's Foreign Office through the American Ambassador at London under date of July 26, I am availing myself of the same channel

His Excellency

The Right Honorable

Sir Auckland Geddes, K. C. B.,

Ambassador of Great Britain.

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to communicate the point of view of this Government to Your Excellency's Government indicating that this Government has no disposition to interpose any obstacles to the due performance of the obligations assumed under the General Act for the Repression of African Slave Trade, signed at Brussels July 2, 1890, by the governments whose territories border on Abyssinia.

I desire to take this opportunity to express my grateful appreciation of the courtesy shown in furnishing me with the information contained in the memorandum.

Accept, Excellency, the renewed assurances of my highest consideration.

Charles E. Hughes

Alvey A. Adee.
NOV 1, 1922.

A true copy of the signed original.

ME-KC/EH-SS

DEPARTMENT OF STATE

THE SOLICITOR

MEMORANDUM.

September 23, 1922.

NE:
Mr. Dulles:

Rec'd in NE Sept 29, 1922

SHIPMENT OF ARMS TO ABYSSINIA.

Construction of Joint Resolution No. 124, of January 31, 1922, Authorizing the President to Issue Proclamation Prohibiting the Export of Arms and Munitions to Certain Countries "If He Finds That Conditions of Domestic Violence Exist, Which Are or May Be Promoted by the Use of Arms or Munitions of War Procured From the United States."

As indicated in a memorandum addressed to you on August 8, 1922, the language of the Joint Resolution of January 31, 1922, authorizing the President to issue a proclamation prohibiting the export of arms and munitions to certain countries "if he finds that conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States",

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United States", appears to this office to contemplate both the existence of conditions of domestic violence in such countries and a serious possibility of the promotion of such conditions by the use of arms or munitions of war procured from this country. If there is no serious possibility of the promotion of the unsettled conditions in Abyssinia by the use of arms or munitions of war procured from the United States, it should not be necessary to consider minutely whether those conditions are "conditions of domestic violence" within the meaning of the Joint Resolution. In view, however, of the considerations of policy suggested in your memorandum of September 15, it has seemed desirable to discuss the meaning and intent of the Joint Resolution as well as the question of its immediate applicability with respect to the situation in Abyssinia.

It is a general principle of statutory construction that the intent of the law-making power in passing any measure is first to be sought in the language of the measure itself. "If the words are free from ambiguity and doubt, and express plainly, clearly and distinctly

the

the sense of the framers of the instrument, there is no occasion to resort to other means of interpretation." * If, on the other hand, the meaning of any statutory provision is not plain, it is appropriate to inquire "what were the circumstances with reference to which the words of the statute were used, and what was the object appearing from those circumstances which the legislature had in view." †

The phrase "conditions of domestic violence," used in the Joint Resolution of January 31, 1922, might with some reason be considered to be free from ambiguity or doubt. The word "violence" is one in common use and is generally understood to denote physical force and to connote the abuse of such physical force to the prejudice of individual rights or public security. Domestic violence is that which has its origin and development within the limits of the territorial unit contemplated. Conditions

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*Sutherland on Statutory Construction, page 312.

†Sutherland on Statutory Construction, page 383.

ditions of domestic violence in any country might thus be understood to signify the prevalence in that country of a state of affairs originating and developing within that country and characterized by the abuse of physical force to the prejudice of individual rights or public security. Under such a construction of the phrase, it would be immaterial whether the acts of violence are committed by individuals or groups having political objects or by rioters, brigands, or slave-raiders.

The statements of the British Embassy and of the American Consul at Aden concerning the terrorization of certain districts of Abyssinia by armed bands of outlaws and the desolation of wide areas of the country by slave-raiders appear to establish sufficiently the existence in Abyssinia of conditions of domestic violence, in the sense above indicated. If there are strong considerations of policy which make it desirable for the Department to advise the President that there exist in Abyssinia at the present time conditions of domestic violence which are or may be promoted by the use of arms procured from the United States, it is believed

that

that the possible construction suggested might be adopted without serious risk of charges of executive usurpation. If that construction is adopted, however, it should not be without a realization of the probability that such a construction was not contemplated either by Congress or by the Executive at the time of the passage of the Resolution.

The immediate occasion for the introduction in the Senate of the measure which became the Joint Resolution of January 31, 1922, was the receipt by Senator Lodge of a letter from the Secretary of State, under date of March 14, 1921, requesting that an earlier Resolution (Public No. 22 of March 14, 1912) relating to exports of arms and war materials from the United States to any American country be amended so as "to enable this Government to continue its cooperation with the other powers" in a policy, adopted on the basis of special wartime legislation, of restricting shipments of arms and munitions of war to China during "the long continued civil strife" in that country and pending "the establishment of a government whose authority should be recognized throughout the whole country."

The

The Secretary referred to the "identical" policy which the United States had adopted in the past "in connection with civil disturbances in countries in Latin America, as set forth in Public Resolution No. 22, of March 14, 1912." In favorably reporting the Resolution to the Senate, the Committee on Foreign Affairs stated that the object of the amendment was fully set forth in the letter from the Secretary of State.

That the object of the amendment was understood by members of the House of Representatives to be merely to extend to China the authority of the President with reference to prohibiting shipments of arms from the United States appears to be indicated by the following colloquy which took place in the House of Representatives during the brief discussion of the measure on January 16, 1922. (Congressional Record, Sixty-seventh Congress, Second Session, Volume 62, unbound, page 1429).

> "Mr. Moore of Virginia. * * * The purpose of the bill seems to be to prevent the importation of arms into China and that this is justified because the United States exercises a limited extraterritorial jurisdiction there.
>
> "Mr. Mapes. (in charge of the Resolution). That is correct."

The phrase "conditions of domestic violence" was brought over into the Joint Resolution of January 31, 1922,

1922, from the Public Resolution of March 14, 1912. It is instructive to note with reference to the phrase as used in the earlier Resolution the remarks made by Senator Root in introducing that Resolution on March 13, 1912. The Senator said (Congressional Record, Sixty-second Congress, Second Session, Volume 48, Part 4, pages 3257-8):

> "Mr. President, I will explain that the joint resolution is the outcome of a conference called by the President this morning with such members of the Texas delegation in the Senate and the House of Representatives and such members of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives as he could conveniently reach, for the purpose of securing the extension of his power to prevent the wholesale passing of arms and munitions of war across the Texas frontier into Mexico. At that conference, in which quite a large number of gentlemen participated, there was a general expression of opinion that we ought to take up and amend our very antiquated neutrality laws; but the suggestion was made and met with general approval, although without any formal action, that that was a very large subject which would require long-continued consideration and discussion, affecting, as it must, all time, all countries in the world, and all possible contingencies. It was thought, however, that the immediate situation, which is now very pressing, indeed, could be dealt with by a slight extension of the power already conferred upon the President by an existing joint resolution passed on the 22d

of

of April, 1898. That joint resolution is as follows:

> RESOLVED, etc., That the President is hereby authorized, in his discretion, and with such limitations and exceptions as shall seem to him expedient, to prohibit the export of coal or other material used in war from any seaport of the United States until otherwise ordered by the President or by Congress.

"The idea was to extend that joint resolution so that it would apply not only to seaports, but to exports from inland places across the border line. * * *

"The situation in Texas is such that it does not admit of delay for the purpose of the general reform of our neutrality laws, and the people of Texas are deeply interested in having this extension of power to the President made immediately.

"With the extension of the application of the joint resolution from seaports to all places in the United States, the committee thought it was advisable to put some limitations upon the power which is included in the existing law, and so the power of the President to forbid the exportation of arms and munitions has been limited to countries in which he finds that domestic violence is being promoted by the procurement of arms and munitions of war from the United States. At the same time a panalty is affixed for the violation of the prohibition.

"The conditions are such that thousands of Americans in Mexico are now fleeing from their homes there and are abandoning their occupations, their mines, their manufactories, and their business because it is necessary to do so to prevent their lives from being destroyed by arms and munitions which are being sold and transported across the border from the United States. I hope that the joint resolution

lution may be promptly passed."

With reference to the Joint Resolution of April 22, 1898, mentioned by Senator Root, it should be noted that this Resolution was passed at the request of the Secretary of War upon the eve of the war with Spain. In the course of the discussion Senator Hoar made the following statement (Congressional Record, Volume 31, Part 4, page 3965):

> "We shall be obliged to commit to the President, in my opinion, a hundred times before this emergency is over, a like discretion."

It may not be without significance in the present connection that the authority conferred upon the President upon the eve of the war with Spain was exercised with respect to Santo Domingo seven years later, when a proclamation dated October 14, 1905, (34 Stat. 3183) was issued. The authority conferred by the Resolution of March 14, 1912, it may be added, has apparently been exercised only upon the occasion of President Taft's proclamation with respect to Mexico on the date of the Resolution.

The above outline of the history of the Joint Resolution of January 31, 1922, tends to show that the conditions of domestic violence contemplated by both Congress and the Executive at the time of the passage of the Joint Resolution

were

were such conditions as are typified by the "long continued civil strife in China" and the "civil disturbances in countries in Latin America" referred to in the letter of the Secretary of State to Senator Lodge under date of March 14, 1921. If, in view of considerations of policy, it is felt to be desirable to disregard the history of the Joint Resolution and rely upon the undoubtedly plausible construction of the phrase "conditions of domestic violence" as signifying the existence of a state of affairs characterized by the abuse of physical force, irrespective of the objects contemplated by the persons committing the acts of violence, then, as has already been indicated, the Department may advise the President that conditions of violence, within the meaning of the Joint Resolution, now exist in Abyssinia. It remains to consider whether there is convincing evidence that such conditions of domestic violence are promoted or are likely to be promoted by the use of arms procured from the United States.

a likelihood always exists of conditions of domestic violence obtaining

In the absence of evidence that any arms or munitions of war procured from this country have in fact been introduced into Abyssinia, it is obviously impossible to conclude that the deplorable conditions in Abyssinia are being

promoted

promoted by the use of such arms or munitions. Moreover, so long as Great Britain, France, and Italy are able and willing to exercise the control which, with the consent and approval of this Government, they undertook to exercise under the Brussels Convention of 1890, it does not seem likely that arms or munitions procured from the United States will be used to promote any conditions of domestic violence which now exist or may later arise in Abyssinia. There is of course a possibility that some part of the small shipment of American arms and ammunition now at Djibuti may, if allowed to enter Abyssinia, come into improper hands. It is believed, however, that there is no convincing evidence that arms or munitions of war procured from the United States may (that is, are likely to) be used to promote the conditions of insecurity in Abyssinia. In view of the lack of such evidence and upon the analogy of the principle that the law does not order nor prohibit anything without proper occasion (lex nil jubet frustra), it would seem that the Department might well hesitate to advise the President to issue a proclamation with respect to the export of arms and munitions to Abyssinia on the ground that conditions of domestic violence

exist

exist there which are or may be promoted by the use of such arms or munitions procured from the United States.

With reference to your suggestion of the possibility of the establishment by a proclamation regarding Abyssinia of a precedent which might be invoked with respect to Turkey, it may be stated that so long as Turkey continues to be the theater of hostile operations between Turkey and foreign forces it would appear to be inconsistent with the position of the United States as a neutral for the President to issue a proclamation to prohibit the export of arms or munitions of war to Turkey. In this connection it may be useful to quote (from Garner's "International Law and the World War", Volume II, pages 405-6) the following statements made by this Government in a communication to the Austro-Hungarian Government, dated August 12, 1915:

> "The principles of international law, the practice of nations, the national safety of the United States and other nations without great military and naval establishments, the prevention of increased armies and navies, the adoption of peaceful methods for the adjustment of international differences, and, finally, neutrality itself are opposed to the prohibition by a neutral nation of the exportation of arms, ammunition, or other munitions of war to belligerent powers during the progress

of

of the war. * * *

"This government holding, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality, submits that none of the circumstances urged in Your Excellency's memorandum alters the principle involved. The placing of an embargo on the trade in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States. It will, I feel assured, be clear to Your Excellency that, holding this view and considering itself in honor bound by it, it is out of the question for this government to consider such a course."

So-ET/GC/ss

DEPARTMENT OF STATE.

Second Assistant Secretary's Room.

MEMORANDUM.

August 7, 1922.

Mr. Harrison asks whether there is not in force at present restrictions on the shipment of arms to Abyssinia, - established to carry out our obligations under the Slave Trade Act signed at Brussels July 2, 1890. If so, he thinks a statement to that effect would be the reply to the British Note.

If not, what is the objection to issuing a proclamation under the Joint Resolution of Jan 31, 1922, in view of the showing made in the memo accompanying the British Note of June 29, 1922?

R.S.

DEPARTMENT OF STATE

FAR EASTERN AFFAIRS

Memorandum.

August 11, 1922.

Harrison's memorandum of August 7,

the Resolution of January 31, 1922

whenever the President finds that

in or in any country in which the

of extraterritorial jurisdiction,

of violence exist, which are or

use of arms or munitions of war

United States, and issues proclamation

unlawful to export, except under

such limitations and exceptions as the President pre-

scribes, any arms or munitions of war from any place

in the United States to such country until otherwise

ordered by the President or by Congress.

It will appear that the conditions existing in

Abyssinia are covered by the provisions enclosed in

the British note here under disorder, [illegible]

existing, [illegible] other places

where there is evidence that the above resolu-

tion would apply. In applying the resolution in this

case

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DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

Memorandum.

August 11, 1922.

Mr. Dulles:

In reply to Mr. Harrison's memorandum of August 7, reference is made to the Resolution of January 31, 1922 which provides that whenever the President finds that in any American country or in any country in which the United States exercises extraterritorial jurisdiction, conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States, and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress.

It will appear that the conditions existing in Abyssinia as described by the memorandum enclosed in the British note are general disorder, and not such as existed in Mexico, Santo Domingo, China and other places which were under consideration when the above Resolution was adopted. To apply the Resolution in this

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case would, therefore, be to stretch rather materially the intention of the Resolution, and this, it is believed, should not be done except on important consideration of policy. Moreover, the conditions of domestic violence now existing in Abyssinia are apparently not caused by any shipment of arms from the United States, for the only shipment to Abyssinia of which the Department has any information is now lying at Jibuti and the statistical records of American trade from 1910 to the present, though rather detailed on the subject, fails to show any other sale of arms to that country. An investigation of the kind of arms now in Abyssinia shows that they are practically all of British and Italian make. This tends to substantiate the information obtained from other sources. To ask the President to issue a proclamation for the restriction of the export of arms to Abyssinia would, in view of the foregoing, hardly be advisable, since the trade practically does not exist.

Articles 8 and 13 of the General Act of Brussels, signed July 2, 1890, appear to contemplate the adoption of measures to restrict the importation of arms and ammunition into Africa by the powers having possessions

or

or protectorates there. As regards Abyssinia this Convention is reenforced by a Treaty between Great Britain, France and Italy, signed at London, December 13, 1906. In view of these provisions and the contents of a recent note from the British Foreign Office, enclosed in a despatch No. 627, dated July 27, 1922, from the American Embassy at London, it might perhaps be desirable to add a statement to our present note to the British Embassy somewhat along the following lines:

> "This Government will not object to the adoption by the governments directly interested of such measures of control over the importation of arms and ammunition to Abyssinia as are reasonably necessary for the carrying out of the purposes of the General Act for the Repression of the African Slave Trade, signed at Brussels, July 2, 1890."

KP

NE:KC:RKH:SS

No.

Excellency:

I beg to acknowledge the receipt of your Embassy's note of June 28, 1922, transmitting a memorandum based on reports from His Majesty's Minister at Addis Ababa, with regard to the present situation in Abyssinia. You also express the hope that, in view of the particulars given in the memorandum, this Government may be inclined to impose an effective supervision of the export of arms from the United States to Abyssinia.

In reply I beg to say that I appreciate your courtesy in furnishing me with this information, and I trust that you will convey assurances to that effect to your Govern-

ment.

His Excellency

The Right Honorable

Sir Auckland Geddes,

Ambassador of Great Britain.

765.84/13

ment.

In this connection I wish to refer to a note of July 26, 1928, from the British Foreign Office, transmitted to the Department by the American Embassy at London, in which it is stated that, at the suggestion of His Majesty's Government, the Governments of Great Britain, France and Italy are considering an agreement to limit the importation of arms into Abyssinia.

I need hardly assure you I can readily appreciate both the unfortunate consequences of permitting an uncontrolled importation of arms and ammunition into Abyssinia and the appropriateness of a supervision of such importation by the three powers whose territories border upon that country. Such action would also appear to have been contemplated by the provisions of Article XIII of the General Act for the Repression of African Slave Trade, signed at Brussels July 2, 1890, to which the United States is a party.

The sole shipment from this country to Abyssinia which has recently come to the notice of this Government

is

is the sale to the Prince Regent, for the use of his personal bodyguard, of the strictly limited consignment mentioned in my note of March 20, 1922. I may add that before accepting this order the manufacturers referred the matter to this Department, which approved the sale on the understanding that the purchaser would undertake to obtain the consent of the proper authorities for the importation of the material into Abyssinia.

The courteous statement of the British Government in its note of July 26th that it would raise no objection to the inclusion in the first quota for Abyssinia of this small American consignment now understood to be lying at Aden is evidence that His Britannic Majesty's Government in so far as it is concerned has no intention that the control of the shipment of arms to Abyssinia should be exercised in a way to discriminate against other Powers. At the same time I take pleasure in assuring you that this

Government

Government will not facilitate or encourage a traffic in arms with Abyssinia.

Accept, Excellency, the renewed assurance of my highest consideration.

Acting Secretary of State.

884.113/8

EE AMD/LVD

KC

AUG 29 1922
ALVEY A. ADEE

S i r:

I beg to acknowledge the receipt of your Note dated June 29, 1922, transmitting a memorandum which is based on reports from His Majesty's Minister at Addis Ababa in regard to the present situation in Abyssinia. You also express the hope that, in view of the particulars given in the memorandum, this Government may now be inclined to impose an effective supervision of the export of arms from the United States to Abyssinia.

In reply I beg to say that I greatly appreciate your courtesy in furnishing me with this information, and I trust that you will convey assurances to that effect to your Government.

I am, however, somewhat at a loss to apprehend the grounds for the apparent uneasiness felt by His Majesty's

Government

Mr. Henry Getty Chilton,

Chargé d'Affaires ad interim of Great Britain,

Washington, D.C.

Government with regard to the exportation to Abyssinia of arms from this country.

The sole transaction of the kind which has recently come to the notice of this Government is the sale to the Prince Regent of Abyssinia, for the use of his personal bodyguard, of the strictly limited consignment mentioned in my note of March 20, 1922. I may add that before accepting this order the manufacturers very properly referred the matter to this Department, which approved the sale only after consultation with competent military advisers, and on the understanding that the purchaser would undertake to obtain the consent of the proper authorities for the importation of the material into Abyssinia.

This Government considers that the transaction adverted to fulfills the conditions noted on page 3 of the Embassy's Memorandum of June 29, concerning "such small supplies of modern arms as are needed by the Central Government itself for the maintenance of order, the suppression of rebellion, and the general exercise of its legitimate authority".

Nor

Nor would this sale of arms to the Regent appear in principle to be contrary to the provisions of the General Act for the Repression of the African Slave Trade, signed at Brussels, July 2, 1890, to which the United States is a party. So far as I am informed, however, the shipment in question has never arrived at its destination.

I trust I need not assure you that this Government would not countenance an indiscriminate traffic in arms with Abyssinia.

Accept, Sir, the renewed assurances of my high consideration,

EE
HGL/MC

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

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DEPARTMENT OF STATE

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NE
M.W.

July 26, 1922.

LA

Mr. White:

There is attached a draft note to the British Embassy replying to their communication of June 29th regarding the importation of arms into Abyssinia. I am sending it to you because the British Embassy in its note of the 29th refers to the communication of June 22nd which was drawn up in your Division in regard to the arms traffic in Central America.

The arms shipment to Abyssinia from this country to which the British Embassy takes exception was, as you will note, a very insignificant one. Further, according to our information, the arms have never reached Abyssinia itself, having been held by the British in Aden.

I realize the relative unimportance of the Abyssinian question as compared with the problem which you have to face in regard to the traffic of arms in Central America. If there is anything which we can do in replying to the British Embassy to strengthen your position it seems to me that it should be done. I am inclined to believe, however, that the situation would not justify an executive order putting an embargo on shipment of arms to Abyssinia.

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I am rather surprized at the action of the British in making so much out of this relatively unimportant

affair

affair. It is just possible that they desire to create a situation which will give them a freer hand in dealing with arms shipments to Central and South America but you can judge of this better than I.

The fact that no ammunition can reach Abyssinia without first passing through British, French or Italian territory is sufficient proof that this country could not engage in unrestricted arms traffic with Abyssinia even if it should have a peculiar inclination to do so.

AWD/MNB

ASSISTANT SECRETARY
AUG 1 1922
DEPARTMENT OF STATE

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

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August 11, 1922.

Mr. Harrison:

The situation in regard to the traffic in arms in Abyssinia has been altered by the receipt of a desaptch from the Embassy at London enclosing a copy of a note from the British Foreign Office, dated July 26th, replying to a memorandum from the Embassy of July 13th, regarding the small consignment of arms and ammunition sent from the United States to the Regent of Abyssinia.

I am at a loss to know why the Embassy at London made written representations in regard to this question. As far as I am aware they have received no instructions to do this. An instruction dated April 6th to the Embassy at London, regarding the reported partition of Abyssinia and the arms traffic with that country, contained the following statement:

> "You may in the course of conversation with officials at the Foreign Office find occasion to intimate that this correspondence has been communicated to you; and you are authorized to add that your Government is somewhat at a loss to comprehend why His Majesty's Government should have detained at Aden this small consignment of arms and ammunition, the export of which was authorized by the Department in view of its very limited size and on the understanding that the Prince Regent of Abyssinia would undertake to obtain the consent of the French authorities for its importation via Jibuti."

Apparently the Embassy at London made this instruction the basis for a written communication to the Foreign Office

to

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to which a reply has now been received stating that the British, French and Italian Governments are considering an agreement to limit the arms traffic with Abyssinia and that the American consignment may possibly be included in the first quota to be accorded Abyssinia.

In my opinion the British Foreign Office's note makes it possible for us to alter the draft communication in reply to the Embassy's recent note and to express in general terms our appreciation of the desirability of the control over the importation of arms to Abyssinia. It might be added that it seems appropriate that this control be exercised by the three Allied countries bordering on Abysssinia, provided, of course, that this control is not exercised in a way to discriminate against this country.

Such an answer would obviate the necessity of placing an embargo on the exportation of arms from this country, which would be an awkward expedient, and would at the same time make it possible to meet the British Government's views. In order to play safe, however, it seems prudent, before taking action, to find out by telegraph what representations the Embassy at London has

made

made. A telegram of inquiry is attached.

You will find attached memoranda prepared by Mr. Turlington and Dr. Carlson, replying to the two questions you have raised on the draft note of reply to the British Embassy.

AWD/MNB

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

Memo 9/23/22 EG

September 15, 1922.

So
Mr. Turlington:

Mr. Harrison has taken up with me the draft note to the British Embassy in regard to the traffic in arms to Abyssinia. In view of our correspondence with the League of Nations and the British Government refusing to ratify the Arms Traffic Convention while approving the underlying principle and also in view of our note of June 22nd to the British Ambassador regarding the sale of arms to Central American Governments, Mr. Harrison would favor meeting the British request in regard to restricting arms shipments to Abyssinia in so far as it might be legally possible. He has asked me to submit the papers to SO with a view to ascertaining whether in your opinion the President would be justified in including Abyssinia among the countries with which the traffic in arms is prohibited except under special government permit.

You will note the second page of the report of April 28th from the Consul at Aden, indicating the latter's view that existing conditions in Abyssinia would furnish sufficient grounds for putting into effect the joint resolution of January 31, 1922. Mr. Carlson in his memorandum of August 11th is inclined to believe that

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ASSISTANT SECRETARY
OCT 8 1922
DEPARTMENT OF STATE

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

October 4, 1922.

Mr. Harrison:

Like the proverbial bad penny, the shipment of arms to Abyssinia returns to you, with an excellent memorandum prepared by Mr. Turlington who answers a number of the questions which you recently propounded to me, as indicated in my memorandum to Turlington of September 15th.

I am of the opinion that it would be best not to call upon the President for a proclamation to cover the shipment of arms to Abyssinia and I would favor adopting the second of the suggestions you made to me, namely, a reply to the British Note of July 26th to the Embassy in London with a passing reference to the British Embassy's communication to the Department of July 29th.

I feel that we can write them a courteous and conciliatory note which will really give them the substance of what they want without going to the length of a Presidential proclamation.

AWD/MNB

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that the information which we have received, including the memorandum from the British Embassy, does not furnish evidence of a condition of domestic violence as contemplated under the resolution.

I should also appreciate it if you would consider this question from the point of view of the precedent which would be established by invoking the resolution provided, in your opinion, there is no legal objection. Would the restriction of the export of arms to Abyssinia result in pressure upon the Administration to take similar action as regards Turkey? In case you have doubts as to the advisability on legal grounds or on the grounds that an unfortunate precedent would be established, Mr. Harrison is inclined to recommend that our draft note to the British Embassy be modified, be addressed through our Embassy in London, in reply to their note of July 26th, with only a passing reference to their previous note of June 29th.

AWD/LVD

SECRETARY OF STATE
JUL 1 1922

NE
File

BRITISH EMBASSY,
WASHINGTON.

884.113

July 7 1922

June 29, 1922.

My dear Mr. Secretary,

I am sending to you herewith a note in regard to the present state of affairs in Abyssinia and the undesirability of the free importation of arms and munitions into that country. In communicating this note my Government have asked me to observe that its contents should not be published without previous reference to His Majesty's Government.

no. 493
June 29. 922

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You will, no doubt, read this note in conjunction with the official note addressed to the Ambassador on the 22nd instant, in which the view of the American Government was laid down to the effect that the sale of arms to a country where political

conditions

The Honourable
Charles E. Hughes,
Secretary of State
of the United States,
Washington, D. C.

July 1922

BRITISH EMBASSY,
WASHINGTON.

conditions were known to be unstable might create embarrassment to foreign Governments and might prove to be a factor in making the political situation still more unstable.

I am, my dear Mr. Secretary,

Very sincerely yours,

H G Chilton

RLC/Mc.

No. 42.

AMERICAN CONSULATE,

Aden, Arabia, June 16, 1922.

SUBJECT: Unsettled Conditions in Abyssinia.

DEPARTMENT OF STATE
JUL 20 1922
DIVISION OF
NEAR EASTERN AFFAIRS.

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884.113/10

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

I have the honor to refer to the Department's Instruction (884.113/-) dated March 21, 1922, regarding the advisability of forbidding the export of arms and munitions to Abyssinia, because of the conditions of domestic violence existing.

In amplification of the report submitted under date of April 28, 1922, (Despatch No. 34), I beg to report to the Department that recently an opportunity presented itself for a long personal talk with Consul Hawkins, who passed through Aden on his way home on leave. He has for some time been detailed by the British Government on the western and southern frontier of Abyssinia, to watch ivory poaching and slave raiding over the boundary into British territory. His headquarters have been at Maggi, and he declares that slaves to the number of approximately one thousand a week are being constantly driven by that town north and west apparently for sale in the other parts of Abyssinia. He also said that he had trekked south from Maggi for three weeks without seeing a human being so absolutely

APR 87 1925

absolutely had the country been desolated by slave raiding.

From his comments on many of the press reports of conditions in Abyssinia, and his other statements, it did not appear that he was in any way prone to exaggerate conditions.

I have the honor to be, Sir,

Your obedient servant,

Cecil M. Gross
American Consul.

File No. 800.

711.94/113

LONDON, July 27, 1922.

No. 1527

DEPARTMENT OF STATE
AUG 3 1922
DIVISION OF
NEAR EASTERN AFFAIRS.
Copy in N.E.
no distribution
KC

November 7 1922
ASSISTANT SECRETARY
AUG 15 1922
DEPARTMENT OF STATE

INDEX BUREAU
711.94/113

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith copies of a note which has been received from the British Foreign Office in answer to representations made by the Embassy in the matter of a shipment of arms and ammunition from the United States to Ras Taffari, the heir-apparent of Abyssinia. It is stated therein that as soon as an agreement has been reached by the British, French and Italian Governments regarding the quota of arms to be admitted

FILED
APR 27 1925

admitted annually into Abyssinia, His Majesty's Government will raise no objection to the inclusion in the quota for the first period of the consignment in question. The communication further refers to your note of June 22, 1922, to the British Ambassador in Washington which dealt with the importation of arms into Central American countries and draws attention to the analogy between the cases of Central America and Abyssinia, and goes on to express the hope that the United States Government will feel disposed to support the endeavors of His Majesty's Government to place the importation of arms into Abyssinia upon a regular basis adapted to the real requirements of the country.

I have the honor to be, Sir,

Your obedient servant,

For the Ambassador:

Counselor of Embassy.

Enclosures:

Copies in triplicate of Note No. A 4532/445/1, dated July 26, 1922, received from the British Foreign Office.

I.

No. A 4532/445/1.

FOREIGN OFFICE, S.W.1.

26th July, 1922.

Your Excellency,

I have the honour to acknowledge receipt of your memorandum of the 13th instant in which attention is drawn to the consignment of arms and ammunition from the United States exported to Ras Taffari, the heir apparent of Abyssinia, and the hope is expressed that arrangements may be made for this shipment to go forward to its destination.

2. In connection with this matter, it may be well for me to explain to Your Excellency the situation which has arisen regarding the supply of munitions of war to Abyssinia. His Majesty's Government have for some time past been convinced that the disturbed conditions existing throughout that country have been largely due to the unrestricted movement of arms and ammunition which existed before the war. In order to remedy this situation and to avoid irregularity in the supply of arms and ammunition to the Abyssinian Government, His Majesty's Government have proposed to the French and Italian Governments that a fixed number of arms should in future be admitted annually into Abyssinia, the quota for each year being fixed after careful consideration of the local circumstances. Discussions have actually started with regard to the number of arms which should be admitted into the country and as soon as an agreement on this point can be reached His Majesty's Government will raise no objection to the inclusion in the quota for the first period of the consignment mentioned in your note.

3/

His Excellency

The Honourable

George Harvey,

&c., &c., &c.

3. I trust that the policy adopted by His Majesty's Government in this matter will command the sympathy of the United States Government. Mr. Hughes, in a note to His Majesty's Ambassador at Washington dated the 22nd ultimo dealing with the importation of arms into Central American countries, stated that "It is the view of this government that the sale of arms to a country where political conditions are known to be unstable might create embarrassment to foreign governments whose nationals have property interests in the countries concerned, and might prove to be a factor in making the political situation still more unstable". This observation is one which applies forcibly to Abyssinia and I have no doubt therefore that the United States Government will feel disposed to support the endeavours of His Majesty's Government to place the importation of arms into that country upon a regular basis adapted to the real requirements of the country.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

(in the absence of the Earl of Balfour)

(Signed) R. SPERLING

PREPARING OFFICE
WILL INDICATE WHETHER
Collect
Charge Department
OR
Charge to
$

TELEGRAM SENT.

Department of State

Washington,

August 12, 1922.

AUG 14

INDEX
TELE

AmEmbassy

London.

248 Your written despatch 1527, July 27.

Telegraph substance of your memorandum of July 13th.

Hughes

884.113/11

NE AWD/MNB

ALVEY A. ADEE
AUG 12 1922

RECEIVED

AUG 14 1922 2 57 PM

INDEX BUREAU
TELEGRAPH SECTION

Enciphered by .....

Sent by operator ..... M., ..., 191 , VIA RADIO

Index Bu.—No. 50.

884.113/11

840.113

November 7 1922

No. 707

The Honorable

George Harvey,

American Ambassador,

London.

Sir:

The Department has received and has read with interest your despatch No. 1527 of July 27, 1922, transmitting a copy of a note of July 26 from the Foreign Office in reply to representations which had been made by the Embassy in the matter of a shipment of arms and ammunition from the United States to the Prince Regent of Abyssinia.

It is noted that the Foreign Office dwells on the disturbed conditions said to exist in Abyssinia, stating that His Majesty's Government has proposed to the French and Italian Governments as a remedy that a fixed number of arms should in the future be admitted annually into Abyssinia and that as soon as an agreement on the proposed plan has been reached, His Majesty's Government will raise no objection to the inclusion in the quota for the first period, of the consignment in question. It is further noted that the Foreign Office, referring to a note of June 22 from the Department to Sir Auckland Geddes regarding the importation of arms into Central American

countries

countries, draws certain parallels, and expresses the hope that the United States will support the endeavor of His Majesty's Government to place the importation of arms into Abyssinia on a basis adapted to the requirements of the country.

In this connection it may be added that the Department received a memorandum from the British Embassy at Washington under date of June 29 on the state of affairs in Abyssinia in reply to its note of March 20, a copy of which was sent to you with the Department's instruction No. 467 of April 6, 1922. The memorandum contains the suggestion that, in view of the information furnished, this Government might be inclined to take steps to impose effective supervision of the export of arms to Abyssinia on the basis of a joint resolution to prohibit the exportation of arms or munitions of war from the United States to certain countries, approved January 31, 1922. The resolution provides:

> "That whenever the President finds that in any American country or in any country in which the United States exercises extraterritorial jurisdiction, conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States, and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress."

A copy of the note of June 29 is enclosed for your information.

It is perhaps not altogether without reference to this correspondence that the Belgian Embassy in Washington has 884.5048/4
recently addressed a memorandum to the Department, stating that the Belgian Government has been informed of the existence of slavery in Abyssinia and asking whether the United States has received similar information, and, if so, what attitude

has been adopted in the matter.

Without the slightest disposition to question the statements which have been submitted respecting conditions in Abyssinia, it may be observed that no evidence has been adduced to indicate that there has been any considerable traffic in arms between the United States and Abyssinia or that such a traffic has been a factor in producing the situation which the governments having possessions in the immediate vicinity now seek to regulate. So far as the Department is aware, there has been no shipment of the kind other than the one now lying at Aden. As you have already been informed, the Department, in view of the limited size and of the fact that the consignee was the Prince Regent of Abyssinia, interposed no objection to the shipment. The Department is unable to perceive that this single shipment now lying at Aden, made under circumstances of which His Majesty's Government is aware, would be likely to have such an effect upon conditions in Abyssinia as would justify this Government in invoking the provisions of the Joint Resolution of January 31, 1922. It might be observed also that the conditions under which the above shipment was made do not appear to depart materially from the plan proposed in the memorandum of June 29 from the British Embassy "as regards such small supplies of modern arms as are needed by the Central Government itself for the maintenance of order, the suppression of rebellion, and the general exercise of its legitimate authority."

It is not desired that you should communicate these statements in any formal way to the Foreign Office. You may, however, take occasion to acquaint the Foreign

Minister

Minister orally and in a friendly manner with the general substance of the foregoing statements. You are further instructed to submit a conciliatory reply to the note of July 26 from His Majesty's Foreign Office, stating that your Government has received the note, as well as a memorandum, of June 29 from the British Embassy in Washington. You will also convey assurances that the Department having taken cognizance of the information thus received with regard to the domestic conditions in Abyssinia, has no disposition to interpose any obstacles to the due performance of the obligations assumed under the General Act for the Repression of the African Slave Trade, signed at Brussels July 2, 1890, by the governments whose territories border on Abyssinia. In this connection it may be stated that the Department will endeavor to keep closely informed of the conditions in Abyssinia, and should it become convinced that conditions of domestic violence exist which are or may be promoted by the exportation of arms from the United States, it will not hesitate to take appropriate steps in the premises. Finally, you will in particular express this Government's appreciation of the courtesy shown by the Foreign Office in its note of July 26, indicating that His Majesty's Government would raise no objection to the inclusion in the first quota for admission to Abyssinia of the shipment of arms to His Highness Ras Taffari.

Alvey A. Adee

Nov 1, 1922.

I am, Sir,

Your obedient servant,

~~For the Secretary of State:~~

Charles E. Hughes

Enclosures:

To British Embassy, June 22, 1922.
From British Embassy, June 29, 1922.
Department's reply.
From Belgian Embassy, Sept. 19, 1922.
Department's reply.

NE-KC/EH-SS

Department of State

Office of the Solicitor

August 24,1922.

MEMORANDUM.

N.E.

With reference to the concluding paragraph of the attached draft note the following observations are submitted for your consideration:

From the note of July 26, 1922, it would appear that the control of shipments of Arms to Abyssinia will, if established in accordance with the British proposal, be executed by the British, French and Italian governments jointly. The statement of the British government that it will raise no objection to the inclusion of the American Arms at Aden in the first quota for Abyssinia is not understood to constitute an "offer to include in the first quota for Abyssinia this small American consignment." reference to the "intention" of the British government in regard to the exercise of the proposed control appears to imply the attribution of the sole control to the British. It is not clear in what way the Department would use its influence to discourage a traffic in Arms with Aybssinia.

So:ET:KMM:SS

HARVEY

OX

15, 1922

4:5[illegible] p. m.

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[illegible] confidential despatch.

[illegible]ment of arms detained

[illegible]n conversation with

[illegible]t of the Foreign Office.

[illegible]dum in the sense of

[illegible]of which is as follows:

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[illegible] a small shipment of arms

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[illegible]ng that the Prince Regent

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[illegible] His Majesty's authorities

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APR 8 1925

TELEGRAM RECEIVED

INDEX BUREAU
AUG 16 1922
Dept. of State

884.00 PI
113

FROM London

Dated August 15, 1922

Rec'd 4:55 p. m.

DEPARTMENT OF STATE
AUG 16 1922
DIVISION OF
NEAR EASTERN AFFAIRS.

Secretary of State,

Washington, D. C.

360, August 15, 7 p. m.

Department's telegram 248, August 14, 2 p. m. In accordance with the instruction contained on page two of the Department's confidential despatch number 467 of April 6, 1922, the matter of the consignment of arms detained at Aden was quite informally and orally broached in conversation with superintending secretary of the appropriate department of the Foreign Office. It was at his subsequent request that a brief memorandum in the sense of the Department's instruction was handed him, precis of which is as follows: The Department had communicated to the Embassy certain correspondence between it and the British Embassy in Washington relative to a small shipment of arms detained at Aden. In view of its limited size and of its having been authorized by Department of State on the understanding that the Prince Regent of Abyssinia should obtain the consent to the French authorities for its importation via Jibuti the hope was expressed that His Majesty's authorities might see their way clear to releasing it.

HARVEY

OX

FILED
APR 27 1925 M

No. 37.

INDEX BUREAU DEC 1 1922 DEPT. OF STATE

Department of State, Division of Information

AMERICAN CONSULATE,

Aden, Arabia, November 7, 1922.

884.113
5

SUBJECT: Shipment of American Arms and Ammunition from Aden to Abyssinia.

ASSISTANT SECRETARY DEC 5 1922 DEPARTMENT OF STATE

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

DEPARTMENT OF STATE DEC 22 DIVISION OF NEAR EASTERN AFFAIRS.

INDEX BUREAU 884.113/488 DEC 8 1922

SIR:

I have the honor to refer to the Department's Instruction dated June 10, 1922, File No. 884.113/6, instructing this Consulate to transmit any additional information regarding the shipment of American arms and ammunition lying at Aden, and any attempt to forward it to the authorities in Abyssinia, and to report that 34 cases of cartridges and 8 cases containing guns, were permitted by the Aden authorities to be shipped to Abyssinia.

They left for Djibouti, November 3, 1922, at 6 P. M. on the British cruiser CROCUS, accompanied by Paulos Manamano, the Abyssinian representative, who in 1921 visited the United States and made the purchase. The CROCUS likewise carried His Highness Ras Tafari and his party, who had just made a short but formal visit to Aden.

Whether or not the arms and ammunition will be permitted to reach Abyssinia from Djibouti without trouble, it is impossible to say. The representative, Paulos Manamano, seemed to be quite confident in regard to this point, however. He indicated that it was his

belief

belief, that the French and Italians had concurred in the arrangement and that from now on, no further trouble would be experienced.

I have the honor to be, Sir,

Your obedient servant,

Raymond Davis

American Consul.

File No. 800.

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 3051

Paris, April 18,1923.

DEPARTMENT OF STATE
MAY 30 1923
DIVISION OF
NEAR EASTERN AFFAIRS.
1 copy in NE

INDEX BUREAU
884.113/11

The Honorable

The Secretary of State,

Washington.

Sir:

As of possible interest to the Department, and with reference to the Department's Instruction No.707 of November 7,1922, to the American Ambassador at London, a copy of which was transmitted to this Embassy by the Division of Political and Economic Information of the Department of State, (File No.884.113/11), I have the honor to quote below a translation of a telegram which appeared in LE TEMPS of April 15th, dated from Rome on April 14th:

"The CORRIERE DELLA SERA claims to have learnt from Addis-Ababa that the Abyssinian Government has received 'through the good offices of the French Government' twelve hundred rifles and two hundred thousand cartridges which are destined for the arming of the police force, which is endeavoring at the present time to repress the traffic of slave-traders who, from Sudan, try to cross Ethiopia in order to sell their slaves to the Sheiks of Arabia."

I am.....

FILED
APR 27 1923

I am endeavoring to obtain further information in regard to this report and will not fail to keep the Department informed of the results of my investigation.

I have the honor to be, Sir,

Your obedient servant,

Myron T. Herrick.

t.

EUGENE J. YOUNG
127 WEST EIGHTY-SECOND STREET
NEW YORK CITY

4-20-23.

SECRETARY OF STATE
APR 23 1923

RECEIVED
APR 23 1923
Dept. of State
APR 23 1923
DIVISION OF
NEAR EASTERN AFFAIRS.

Hon. Charles E. Hughes,
Secretary of State,
Washington, D. C.

Dear Mr. Secretary:-

I am Foreign Editor of The World ~~and also~~ a close observer of foreign affairs because of a weekly newspaper letter I send out. Possibly it would be worth while now and then if I sent you word of some things I note. When Mr. Harding was in the Senate I gave him information a few times, particularly on the British design to draw us into Armenia as a protection from Russia.

The thing I have in mind now is the campaign begun by the British against Abyssinia. Probably you are familiar with the matter. If not, I think it worthy of your attention. From time to time despatches come from London telling of the slave trade carried on by the Abyssinians, raids in the Sudan and transportation of the slaves across the Red Sea. With these charges always goes the intimation that American arms are being used by the Abyssinians in this trade.

FILED
MAY 9 1923

INDEXED

As you are no doubt aware Abyssinia juts between British East Africa- or Kenya- and the Sudan. It seriously threatens the safety of the Cape-Cairo road. Britishers interested in these regions are very anxious to absorb this country for strategic purposes. Also I am told it has oil and other large possibilities. If this people were properly aided they have qualities which would make them a really fine nation. It would be a pity if they were to fall under an imperial sway which would be bound to try to break their spirit.

The slavery propaganda is all directed towards absorption. Might it not be a good idea to take counter-measures and have our diplomatic officers report the truth? Also I hope we shall not refuse to let them have arms to defend themselves.

Yours sincerely,

Eugene J. Young

May 8, 1928

Mr. Eugene J. Young,

127 West Eighty-second Street,

New York City.

Sir:

The Department has received your letter of the 20th instant relating to Abyssinia and has noted the views which you have expressed with regard to that country.

I am, Sir,

Your obedient servant,

For the Secretary of State:

LELAND HARRISON

Assistant Secretary.

884.113/15

ENR AMD/MMB

Alvey A. Adee

MAY -

A true copy of the signed original.

September 15, 1923.

Raymond Davis, Esquire,

American Consul,

Aden, Arabia.

Sir:

With reference to previous correspondence concerning a shipment of six machine guns and six rifles with ammunition purchased in the United States by the Prince Regent of Abyssinia, you are requested to inform the Department whether the shipment in question is still lying at Aden or has been forwarded to its destination. It is desired, however, that you make no inquiries concerning it at this time.

I am, Sir,

Your obedient servant,

For the Secretary of State:

LELAND HARRISON

884.113/115a

884.113/

NE-KC/LBD-88

HCH.

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NOV 8 1923
DEPT. OF STATE

No. 153.

AMERICAN CONSULATE,

Aden, Arabia, October 15, 1923.

884.113/16

884.113/16
FILED
NOV 16 1923

SUBJECT: Shipment of Arms and Ammunition to Abyssinia.

DEPARTMENT OF STATE
NOV 9 1923
DIVISION OF
NEAR EASTERN AFFAIRS.

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

Department of State
NOV 15 1923
Division of
Political and Economic Information

SIR:

With reference to the Department's Instruction dated September 15, 1923, File No. 884.113/15a, concerning guns and ammunition purchased in the United States by the Prince Regent of Abyssinia, I have the honor to state, that the latest information obtainable concerning this shipment, was transmitted to the Department, in this Consulate's despatch No. 37, dated November 7, 1922, File No. 800.

Coinciding with the visit to Aden of the Prince Regent of Abyssinia, the arms and ammunition were put aboard the British cruiser, CROCUS, by Paulos Manamano, who visited the United States in 1921 and made the purchases, and thus transported to Djibouti, on November 3, 1922.

Paulos Manamano stated that he anticipated no trouble from the French authorities in Djibouti and it has since been reported that the entire shipment went forward to Adis Abeba on the same train with the Prince Regent.

I have the honor to be, Sir,

Your obedient servant,

Raymond Davis

Raymond Davis

American Consul.

File No. 800.

WE (illegible)

File

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

June 30, 1925

DEPARTMENT OF STATE
JUL 1 1925
DIVISION OF
WESTERN EUROPEAN AFFAIRS

Mr. Turlington:

Mr. Lawrence Hoover came in to see me Saturday morning. He asked whether this Government would interpose any obstacles if he endeavored to sell and ship arms to Abyssinia, Morocco and Persia. He said that the company with which he is connected had been approached by representatives of the Governments of Abyssinia and Persia, as well as by representatives from the Rif in Morocco.

FILED
JUL 1 1925
884.113/17

I told Mr. Hoover that as he was aware this Government maintained at the present time no restrictions on the exportation of arms to the countries he had mentioned, but that, of course, the Department did not encourage the exportation of arms to any country. It might be desirable for him, however, to ascertain what restrictions, if any, those countries maintain on the importation of arms. As regards Morocco it might be well for him to ascertain the provisions of the Act of Algeciras as well as the more recent agreement arrived at by the interested Governments.

I told him that I understand that the Abyssinian

Government

Government has issued rather detailed regulations respecting importation of arms into that country.

With respect to the importation of arms into Persia I told him that the Persian Government presumably would require the arms delivered at certain specified ports.

Mr. Hoover inquired as to what bearing the arms convention just signed at Geneva would have on the exportation of arms from the United States. I told him that he, of course, understood that the convention he mentioned could not be enforced by the United States until it had been ratified.

Mr. Hoover asked a number of other questions, but I refrained from giving him any further information. I do not know whether you are aware that Mr. Hoover is one of the most famous gun runners we have in the United States.

K C.

NE:KC:HDM:SS

Office of Economic Adviser
MAR 1 1926
DEPARTMENT OF STATE

No. 103.

AMERICAN CONSULATE,

Aden, Arabia, December 21, 1925.

SUBJECT: Slavery and Munitions in Abyssinia. Transmitting Articles from the "Westminster Gazette".

DEPT. OF STATE
MAR 8 1926
Division of Near Eastern Affairs
1—1055
DEPARTMENT OF STATE
JAN 2 1926
DIVISION OF NEAR EASTERN AFFAIRS
Office of Foreign Service Personnel
JAN 19 1926
DEPARTMENT OF STATE
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1926

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

I have the honor to transmit herewith, as of present interest, copies of three articles which appeared in the "Westminster Gazette" on January 18, 19 and 20, 1922, apparently written for the purpose of arousing the British public against the importation of arms into Abyssinia. The point of immediate interest to Americans is the protest against the admission of a certain shipment of American rifles and ammunition said to have been temporarily detained at Djibouti, in French Somaliland.

The articles are written in a rather perfervid style, but a careful review of them fails to show any serious exaggerations. They were obviously written in a manner intended to catch the public eye, and much can be forgiven in view of the purpose of the message, i.e. to maintain British prestige in Abyssinia and to protect British subjects along the Sudan and Kenya frontiers.

The expressed desire that arms imports into Abyssinia be prevented by the united action of Great Britain, Italy and France, for the sole stated purpose of preventing further

further slave raids, is praiseworthy, but futile. France, particularly, never has co-operated with Great Britain in Abyssinia. If this had been possible, the situation would have been greatly simplified. It is because of this rivalry, jealousy maintained by the French, that the British Minister expressed his earnest desire for American cooperation with Great Britain for the suppression of slave raiding (despatch No. 90, page 9). He believes that American favor with the Abyssinian Government is strong enough to give the United States power to exert strong moral influence in this direction.

125.0084/28

The reference to slaves within the precincts of the British Legation was well-founded at the time the enclosed articles were written. This matter, however, was disposed of, a short time thereafter, when the British Charge d'Affaires issued an edict to expel all slaves owned by employees of the Legation. This ruling was enforced with the greatest difficulty, but it was enforced, nevertheless. The employes could not understand why they should be compelled to relinquish their personal property, albeit the said property took the form of human beings. Some of the employes preferred to relinquish their employment, this having been the prescribed alternative, but most of them complied. Thus slavery no longer exists in the British Legation. Very conceivably the specific order for this ruling, from the British Foreign Office, was the direct result of the publication of these articles in the Westminster Gazette.

The

The authors of the articles referred to are probably correct in their conclusion that "short of a deliberate and comprehensive assertion of European authority ..... there appears to be no way by which the existing system of slavery in Abyssinia can be abolished." The custom is too deeply rooted in the Ethiopian feudal system. During my brief visit to Abyssinia I was hourly impressed by the fact that many slave owners would be decidedly relieved if they could relinquish the financial burden entailed by their scores or hundreds of human chattels. The slaves, in the Capital at least, do no useful work, their conception of their whole duty to their owners being the ornamental function of running beside him on the few occasions when he rides forth upon his mount. It is an easy life, and the class of people used as slaves desire no other.

The incident of the American shipment of munitions destined for Abyssinia suggests another sidelight on Anglo-French rivalry. This shipment, the only one of its kind on record, was purchased in 1920 by Ato Paulos Manamano, special Abyssinian emissary to America for this and other purposes. He thoughtlessly permitted the arms to be shipped to Aden rather than by a direct boat to Djibouti. The Aden Government at once seized the consignment. Meanwhile His Highness Ras Tafari was about to accept a French invitation to a fete in his honor at Djibouti. The Aden Government proffered a counter-invitation to Aden, which he accepted. While in Aden every

possible

possible courtesy and honor was bestowed upon him, culminating in the restoration to him of the much-desired American munitions. The British had scored, and when the shipment reached Djibouti, the French could scarcely refuse to permit it to pass through their Protectorate to its consignee, Ras Tafari.

Under the heading, "The Menelik Regime" a common error is noted. Emperor Menelik II died in 1910, and not in 1913. But his death was shrouded in secrecy for three years, lest his fabric of government disintegrate entirely. There was no successor of sufficient character to hold the provinces together had the King's death been announced. In fact, Under Lij Yasu, the first Regent, there was a rapid breaking up of the admirable unity and order maintained by Menelik. Ras Tafari, therefore, was handicapped from the beginning of his rule (1916) by insubordination, lawlessness and a reversion to barbarity, conditions which he has labored for nine years to alleviate. He has not been very successful in establishing his authority throughout the feudal principalities that are the Empire, but he has done extraordinarily well in maintaining the semblance of government that exists, in spite of internal dissension and external scheming.

"The Scandal of Abyssinia" seems to be an unfair title for the subject matter in question. It seems superfluous to wax vitriolic over the time-honored customs of an ancient African Empire. The last slave country in the world must be induced to change its ways

by

by more gradual methods. A custom like this is not to be uprooted by stroke of pen or sword.

I have the honor to be, Sir,

Your obedient servant,

J. Loder Park

American Vice Consul.

Enclosures:

Copies of Articles from
"Westminster Gazette".

File No. 790.

(COPY)

WESTMINSTER GAZETTE, JANUARY 18, 1922.

THE SCANDAL OF ABYSSINIA.

We publish this morning the first of a series of three articles which contain, we believe, the first detailed and authoritative account that has appeared in this country of present day conditions in Abyssinia. During the past five years the decay of the authority of the central Abyssinian government has been a cause of serious concern and apprehension to the British Government which have territorial responsibilities in that quarter of Africa. But the Foreign Office and its officials have apparently thought it best to say as little as possible in the hope that matters would improve. It is clear to us, however, after reading these articles, that the hushing-up policy can no longer be defended and it is high time that public attention, both here and in America, should be directed to a situation which is scandalous in the highest degree. Some of the facts revealed by the writers of these articles - both of whom have had long experience of African administration and are intimately acquainted with all sides of the problem which they describe - are almost beyond belief. Who would have supposed that it was possible anywhere in the world in 1922 to see 10,000 newly captured slaves marching in one gang to life-long captivity? But the single fact that children born in freedom under the British flag are now serving as slaves, again under the British flag, in the Legation at Adis Abeba, should be enough to demonstrate the necessity

for

for bringing civilized public opinion to bear upon the whole Abyssinian situation.

The point, however, to which the most immediate attion is necessary is the fate of the consignment of American munitions that is now lying at Djibouti. The whole system of slave-raids, as our contributors point out, is founded upon rifles and cartridges, and Abyssinia is extremely short of ammunition, owing to the operation of the recent Arms convention. It is unfortunate that America was not a signatory to that Convention, but we sure that the State Department in Washington, once it realises the facts, will not delay to make its attitude clear. American opinion on the question of slavery is at least as strong as British opinion, and that the French authorities, as our contributors suggest, should release those munitions through fear of an "incident" with the American Government, would be a blunder too bitterly ironical to be believed.

THE HOME OF SLAVERY.

American Munitions For Slave Raiding. Abyssinia is the only remaining free and independent native State in Africa. It is also the last home of open slavery. In its Capital, Adis Abeba, there are more slaves than free men. The British Legation itself is full of slaves, owned by the Legation servants, who would not take service if they were not allowed to bring their chattels with them. The Legation compound is British soil, yet not only do slaves who enter it not become instantly free, but if they have escaped from

their

their owners can and do enter it without hindrance to re-capture. That is an odd enough fact; but a still odder one is that a great many of these slaves are British subjects captured by slave-raids into British territory. Slave-raids, however, require rifles and ammunition, and as France, England and Italy have bound themselves under the Arms Convention of 1919 not to supply munitions to the Abyssinians, it is only America who is now importing, or seeking to import, arms into the country -- arms destined mainly to fill the great Abyssinian slave-markets. At this moment a large consignment of American cartridges and automatic rifles is lying at the French port of Djibouti, awaiting the consent of the French authorities to its transport into the interior, and there is reason to believe that the French authorities, not being very much in love themselves with the Arms Convention and fearing an 'incident' with the American Government -- which probably knows nothing at all of the affair as yet -- may shortly give their consent.

The Menelik Regime. So scandalous a state of affairs has not, of course, arisen suddenly. It is only a natural outcome of the general conditions which exist in Abyssinia today; and the situation cannot be explained or understood without some reference to the recent history of the country. Abyssinia owes the preservation of her independence partly to the inability of the neighboring powers to agree on any line of policy as to her future, and partly to the great natural capacity and enlightenment of the Emperor Menelik, who ruled the country for nearly a quarter of century from 1889 to 1913. Menelik built Adis Abeba, laid out metalled roads,

promoted

promoted the construction of a railway from the coast, installed a system of telephones, built bridges and corn-mills, introduced a water-supply, issued an edict against slavery, established a bank, a school, and a hospital in the capital, and imported teachers and doctors from Egypt and elsewhere. Above all, he established a system of law and order throughout the country and maintained his authority over the provincial governors and sub-chiefs. But no sooner had he died, nine years ago, than his work fell to pieces with almost incredible rapidity, and already Abyssinia has relapsed into a state that approaches barbarism. The roads have been left unrepaired, the bridges have crumbled, the water mains have become choked up, the mills are mostly out of order, except a few which have been sold to foreigners, the hospital is in ruins the school has practically ceased to function, and the great trunk telephone system is monopolized by the present Regent for his own private use. The Central Government exercises no authority that is worth mentioning at a greater distance than ten miles from the Palace; and in the capital itself the inhabitants enjoy little or no security either for their persons or for their possessions., so that even the Legations have to be constructed more like forst than like private residences.

After Menelik's death there followed three years of civil war. In 1914 Lij Yasu, grandson of the great emperor threw in his lot withbthe Turks and Germans. This led to his downfall, since the Abyssinians, being fanatical

(Coptic)

(Coptic) Christians, objected to the alliance with Islam; and in 1916, after a successful insurrection, Zaiditu, a daughter of Menelik, became empress, with Ras Tafari as Regent and Heir-Apparent.

After Menelik. This regime has lasted to the present time, but whether it will last much longer is doubtful. Under the rule of Tafari the whole country, as has already been indicated, has fallen into corruption and decay. The remnants of the Menelik civilization are steadily disappearing. No Abyssinian, for example, nowadays, from the Regent to the lowest slave, adopts the slightest measure of ordinary sanitation. The road through the Royal Palace at Adis Abeba, up which the Foreign Ministers with their glittering staffs pass to pay their court to the Sovereign to whom they are accredited, is littered with nauseous and malodorous filth. The open spaces in the Palace grounds serve as a mere latrine for the thousands of waiting soldiers, suitors, and attendants with which they are normally crowded. As Major Athill stated in a recent address to the Royal Geographical Society, "Despite all the evidence of foreign enterprise, the Abyssinian lives in a state of insanitary squalor, nowhere more marked than in the precincts of the Royal Palace."

Meanwhile in the provinces there is no pretence of the maintenance of order. Brigands abound, and between brigands and local chiefs-owing merely nominal allegiance to the central government -- there is often not much to choose. If life and property are not safe in the capital, they are still less safe anywhere else. In the days of

Emperor

Emperor Menelik a child might leave Adis Abeba with his cow and drive it to the confines of Abyssinia without fear of molestation. Todayit is scarcely an exaggeration to say that even a European picnic party cannot afford to be without lethal weapons. And if a slave ventures outside his master's compound he is liable to be captured and resold in some distant market. In short, there is nothing in Abyssinia that can be described as "order" and as for the "law" it is quite useless to appeal to it unless the complainant is rich enough to purchase the justice he seeks, and even then it may still be useless if the defendent happens to have a powerful protector. In further articles we shall describe Abyssinian "justice" more fully, and the obstacles which it places in the way of the European trader. Also we shall describe the nature and extent of the slave trade as we have ourselves witnessed it. Here we need only add that, apart from a few of the historical details already mentioned, we have relied upon nothing but our own first-hand information. It is hard for outsiders to get the truth about Abyssinia because it is not worth the while of any "insider" to tell it. Traders who attempted to tell it would be blacklisted and probably expelled from the country; and as for officials, we know too well, and much regret, the serious trouble which these very articles are likely to cause to the staff of the British Legation. But no one, we are assured, who has spent even three months in Abyssinia will question the truth of what we have written; and if the importation of arms from America is to be stopped

it

it is necessary that the civilized world should know the facts about the present Abyssinian regime.

---oOo---

(COPY)

WESTMINSTER GAZETTE, JANUARY 19, 1925.

WHO LIVE BY BRIBERY.

Trade conditions in Abyssinia are, to put it mildly uncertain. There is no stability, nor at present any foundations upon which a stable commercial system could be built up. Abyssinia is almost as large as France and Germany combined; it is the home of an ancient "Christian" civilization; and it is one of the richest countries in the world -- richer, we believe, than any other country in Africa of similar size. Yet it is decaying. Vast areas are going out of cultivation, partly owing to brigandage and partly to slave-raiding. One of the writers recently passed through an outlying district, which, when he first visited ten years ago, was a remarkably prosperous and populous country. The soil was so fertile that the hills were terraced for cultivation. Today it is possible to march through this district for days without meeting a single human being, the terraces are still there, but the people who should be sowing and reaping are either dead or slaves in the capital. The whole countryside is abandoned to the jackals and the hyenas.

Cash Down Bribes. A European business man coming to Abyssinia has a great deal to learn before he can hope to establish successful trade of any sort. As a rule he imagines that he must enlist the financial interests of the Abyssinians and show them that his undertaking will directly benefit them

as

as well as himself. But that, as he soon discovers, is a fallacy, for the simple reason that in the unsettled conditions which prevail no Abyssinian can afford to look twelve months ahead for the benefits that he is promised. He wants cash down. The new-comer usually begins by giving the Regent a large and expensive present (which must include not less than one modern rifle) and in return obtains a passport authorizing to travel and trade in the interior. But almost before he has completed one day's march he finds that his "passport" is a sure source of trouble and vexation all along the road. For the writ of Tafari does not run outside the environs of the capital. The local Governors are virtually independent, and the sub-chiefs will not recognize the Regent's letters or passports unless they are endorsed by their immediate superiors. Each Governor, or Ras, is a little king and a law unto himself. He taxes the people as he thinks fit and passes what laws he likes; and only refrains from his independent sovereign authority on the principle of letting sleeping dogs lie. In every district, therefore, the European trader has to obtain new passports and new trading licenses, and even when he has obtained them, and paid for them, he cannot tell for how long or how far they will serve his purpose.

All Must Be Squared. Outside the capital regular salaries are unknown. The officials live on their perquisites, and all of them, tax-collectors, police, customs officers, and even judges, must be squared before any sort of developments can be attempted. The customs houses are scattered all

along

along the main trading routes, and those in outlying districts are particularly obnoxious, their methods often closely approximating to those of the highway robber. The European trader may attempt to interest the local Governor by a gift of shares in his company, but such efforts are only a waste of time and paper. For what the Governor, like everyone else, wants is cash. He does not know how long he will remain in power, and his one idea is to "salt down" every dollar he can get hold of, by fair means or foul, before his inevitable overthrow -- and after him the deluge.

Suppose that the European trader desires a mining concession. He will first approach the Regent and purchase the concession, probably with the help of his Legation. This will be a lengthy and expensive proceeding, and at the end of it the Regent will cease to interest himself in the matter knowing full well that the concession is valueless owing to the certain opposition of the local Governor. Indeed, after a month or two he will not hesitate to sell the same concession over again to a second or even a third concessionaire, since he knows that though he cannot control the provincial Governors he can safely count upon them to do their utmost -- which is enough -- to keep the white man out.

Feathering His Nest. For such difficulties the courts offer no redress. No Abyssinian Judge, however heavily he may have been subsidised -- and, of course, he will always take what is offered -- can give a decision in favor of a European against a local Governor or Cheif. The Judge must live, and he feathers his nest while he can. He will give judgement for a European who offers more ready cash than his

opponent

opponent, provided the opponent is not the local Ruler, but naturally he will not risk deposition from every profitable office if he can help it. From our standpoint this is the worst sort of "bribery and corruption" but the Abyssinian does not view it in that light. He sees no more dishonesty in it than we do in the vote-catching opportunism of our politicians in this country. It is simply a matter of custom. It checkmates the European trader, but that, from the Abyssinian point of view, is scarcely a disadvantage.

On the criminal side Abyssinian justice is not more reputable. From the European point of view it is mediaeval in its methods and purely barbarous in its punishments. The police system affords to its members every facility for theft, blackmail, and highway robbery, but it affords no sort of protection to the community which it is supposed to serve. The recognized punishment for repeated theft -- when it is not corruptly condoned -- is the same today as it was centuries ago -- namely, amputation of the right hand and of the left foot through the ankle, carried out in the open market place. A theft of oranges from the Empress larder was punished as recently as last May with death by handing. And it is only five years since an old woman was buried alive in the market place of the capital for the crime of witchcraft. Hangings and executions are still carried out in public every week with all the brutality and ferocity of the dark ages, and the sight of the suspended bodies is one of the side-shows on market days in Adis Abeba. Sentences of imprisonment in the town gaol, even for short periods, are usually sentences of death,

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for the prisoners are herded together to the number of perhaps a hundred and fifty in a cell about forty feet by twenty. They are dependent, if they have no money, entirely on charity for their food, and most of them, if they do not die of starvation, die of typhus or small-pox.

We do not wish to make the picture too dark. Africa is Africa, and it is not entirely fair to apply European standards to a purely African State. But the question of slavery -- to which we must always return -- is one of the absolutes about which, from the British point of view at any rate, no compromise can be admitted. It is an abomination which, though natural enough in the conditions which prevail today in Abyssinia, cannot, once it has been seen, be tolerated on any terms. The local British representatives cannot be blamed for facts with which they are powerless to interfere, but it is hard to understand why the British Foreign Office has not thought it necessary at the very least to register some protest against conditions of which it is fully aware. That slaves should be recaptured and re-enslaved within the very precincts of the British Legation at Adis Abeba is wholly intolerable. There must be some way out of such a situation. We shall discuss the question of slavery in more detail in our next and final article.

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(COPY)

WESTMINSTER GAZETTE, JANUARY 20, 1925.

CHAINED GANGS OF CAPTIVES. STOP IMPORTATION OF MUNITIONS.

Abyssinia, as we have said, is the last great home of slavery in Africa, and therefore in the world. And so strongly is it entrenched that the famous doctrine of freedom under the British flag is of no effect in the Abyssinian capital. The soil of the British Legation does not differ in this respect from the soil of the Regent Palace. Slave-raiding and slave-trading have increased in Abyssinia by leaps and bounds during recent years, and today it is possible for any visitor to witness in Adis Abeba the worst possib
forms of slavery that have ever cursed the Dark continent -- slavery, open, cruel and fiendish, unfettered by European interference and hardly discountenanced by the Foreign Offices of the European Powers.

Few people can realize all that slavery means. A slave, once secured, is a valuable asset who must be cared for and fed -- as long as he is able-bodied -- as carefully as a horse or a cow; and his actual physical existence need not be intolerable. But when we look at the slave-raiding and slave-trading which precede slave-owning and at all the horrors which these processes involve, the impossible cruelty of the whole system becomes apparent. The early morning raid by a hidden band on a peaceful sleeping village, the smoke of the burning huts, the cries of the women and children, the death or wounding of the men -- all these

things

things are still to be seen in all their pristine ferocity on both sides of the borders of Abyssinia.

Dead And Dying Left Behind. Gangs of slaves, marching in misery, the men chained together in rows, and the women and children dragging themselves along side the main body, can be seen by any traveller in Southern Abyssinia today. Some of these slaves are captured on Abyssinian territory, others in British East Africa, others in the Anglo-Egyptian Sudan. The gangs are not so large as they used to be, because the border districts have been depopulated. One of the writers of these articles has seen with his own eyes a convoy of ten thousand slaves marching towards the great slave market of Jimma; and in the course of a single day's march along the trail he has counted the dead and dying bodies of more than fifty captives who have dropped by the road side. For on such journeys there is no commissariat department, and those who carry no supplies can hope only for a merciful spear since the alternative is death by thirst or by the teeth and talons of wild beasts.

These things we have seen. And we have seen also hundreds of square miles of territory bitterly depopulated by Abyssinian raids. Most of this territory is within the confines of the Abyssinian empire, but part of it is within the British empire. The facts, we repeat, are not unknown to the British Foreign Office. We can give whatever details may be necessary. Abyssinian raids into the country southwest of the Boma plateau in the British Sudan are constant, and within the last six months there have been several raids

into

into the Kenya Colony. The depopulation of the border and the absence of adequate police forces tempt the Abyssinians to advance further and further; and on one occasion at least they have penetrated no less than 120 miles into British territory. In regard to certain incidents the British Government has claimed reparation, but it has never obtained the payment of a single dollar or a repatriation of a single British slave. A claim for 5,000 pounds is respect of the death of Captain Aylmer, who was killed by Abyssinian raiders, east of Lake Rudolf, in Kenya Colony, in 1912, has been constantly pressedm but is still totally disregarded. Nor has any reparation or apology been forthcoming for the wounding of Captain Lloyds Jones in Kenya Colony in 1911. And the Abyssinian Governor who was responsible in 1916 for an attack upon the King's African Rifles fifty miles within the British border, though he was momentarily recalled at the instance of the British Government, has since been rewarded with a new title and restored to his old post.

Gift of Slaves. Other specific incidents might easily be cited, but it is not our purpose here to give anythig more than a general outline of the position. The border province of Abyssinia are controlled by gangs of robbers and slave-traders, who are responsible to nobody, though they occasionally pay tribute to the Central Government. Only the other day the Regent in Adis Abeba received a present of 140 slaves, most of whom were children, of both sexes, between the ages of six and fourteen, though a few were adult women with babies at the breast. And ever the European inhabitants of the capital can hardly avoid becoming slave-owners. For

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if a slave is given to you you cannot emancipate him (or her) however much you may wish to do so. You may pay him wages to salve your conscience, but the process of emancipation is practically unknown, and if you set your slave free, he is certain to be captured and again enslaved by someone else.

From this difficulty there is no obvious way out. Short of a deliberate and comprehensive assertion of European authority, which -- in view of the results of the Battle of Adowa -- could not be carried through without a very substantial demonstration of physical force, there appears to be no way by which the existing system of slavery in Abyssinia can be abolished. But there is one thing that is obviously possible, and that is the prevention of the importation of arms and ammunition. The Abyssinians possess millions of modern rifles, but their stock of ammunition has fallen ver low indeed -- possibly even as low as five pounds per rifle of the regular army -- and when it is exhausted their power to raid and depopulate fresh areas, whether in British or Abyssinian territory, will be destroyed at the same time. Munitions, therefore, are the crux of the whole situation. The European powers have contracted not to supply Abyssinia amongst other African countries, with munitions, nor with materials for their manufacture, but America, unluckily, has not signed the contract; and so it is to America that the Abyssinian Government has lately turned. Payment was made in advance, three months ago, and the cartridges and automatic rifles, exported from the United States, are now lying at the port of Djibouti, in French Somaliland, which

is the terminus of the Abyssinian railway. The French authorities on the spot are not enthusiastic about the Arms Convention and are inclined to suggest that it was only accepted owing to British pressure. They object, however, to its infringement by the United States -- since if cartridges are to be sold they have plenty of their own that they would like to sell -- and as far as we are aware they have not consented as yet to the importation of these American munitions through French territory. But they may consent at any time unless London and Washington are aroused to the true state of affairs. The purpose of these articles is to describe the position as it appears, not merely to the writers but to every European who has spent even a short time in Abyssinia. If on any aspect of the question we have failed to convey a sufficiently precise view of the facts, we shall be glad to do our best to remedy the defect. Meanwhile, we hope that the American public will realize what is being done in their name, and that the British public will face the intrinsically impossible situation created by the presence of British slaves in the British Legation at Adis Abeba.

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RECD
INDEX BUREAU
DEPT. OF STATE
NOV 9 27

EMBASSY OF THE
UNITED STATES OF AMERICA

Paris, October 28, 1927.

No. 7976

DEPARTMENT OF STATE
NOV 1 1927
DIVISION OF NEAR EASTERN AFFAIRS

File

For Distribution

Copy to
DIVISION OF
MIDDLE
DEC 29 1927
Department of State

INDEX BUREAU
FILED
JUN 1 1928
884.113/19

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to enclose herewith a memorandum prepared by a member of my staff giving the substance of a conversation he has just had with M. de Saint Quentin, of the Ministry for Foreign Affairs, regarding the importation of arms into Abyssinia.

I have the honor to be, Sir,

Your obedient servant,

Sheldon Whitehouse

Sheldon Whitehouse,

Chargé d'Affaires ad interim.

Enclosure:

As stated above.

In triplicate.

M E M O R A N D U M

M. de Saint Quentin informed me that the French Government could not at this time permit the shipment of arms over its territory into Abyssinia whether from the United States, France, or whatever country of origin.

Not only from the standpoint of the interests of French Somaliland but also from the standpoint of the interests of the much larger Italian and British colonies adjoining Abyssinia was it necessary to forbid this transportation of arms to Abyssinia, and the British and Italian authorities were much more emphatic on this point than were the French. He said that a conference was to be held between representatives of the French, British, and Italian colonies adjoining Abyssinia with a view to arriving at a decision concerning a uniform policy to be adopted in the matter of the shipment of arms to Abyssinia. Until such an agreement had been reached, the French could not permit the shipment of arms through their territory without discourtesy to the British and Italian authorities.

M. de Saint Quentin added that he hoped that the United States would forbid the exportation of arms to Abyssinia in the same manner as France forbade exportation to Mexico.

BENJAMIN MUSE.

American Embassy,

Paris, October 27, 1927.

RECD
INDEX BUREAU
DEPT. OF STATE
NOV 14 27

EMBASSY OF THE
UNITED STATES OF AMERICA

Paris, November 4, 1927.

No. 7998

DEPARTMENT OF STATE
NOV 15 1927
DIVISION OF
NEAR EASTERN AFFAIRS

INDEX BUREAU
884.113/20
JUN 1 1928
FILED

The Honorable

The Secretary of State,

Washington.

Sir:

884.113/19

With reference to my despatch No. 7976 of October 28, 1927, enclosing a memorandum of a conversation with M. de Saint Quentin of the Ministry for Foreign Affairs, regarding the importation of arms into Abyssinia, it should be added that these statements by M. de Saint Quentin were intended as a further reply to the verbal enquiries of Mr. Candler Cobb, as explained in my despatch No. 7428 on May 2, 1927.

884.24/6

I have the honor to be, Sir,

Your obedient servant

Sheldon Whitehouse

Chargé d'Affaires ad interim.

In triplicate.

DOCUMENT FILE

NOTE

SEE 125.0084/47 FOR #4

FROM Aden (Aldridge) DATED November 3, 1927
TO NAME

1—1127 G P O

INDEX BUREAU
884.111 3/21

REGARDING: One of the / Interests of British Government in Abyssinia is to check smuggling of fire arms into the country.

No. 4

Aden, Arabia, November 3, 1927.

SUBJECT: Conversation with Mr. Bentinck, His Britannic Majesty's Minister at Addis Ababa.

THE HONORABLE

THE SECRETARY OF STATE

WASHINGTON.

SIR:

I have the honor to report the substance of a conversation which I was privileged to have today with Mr. Bentinck, His Britannic Majesty's Minister at Addis Ababa.

Mr. Bentinck, who is making a very brief visit to Aden as part of a ten-day leave of absence from his post, called at the American Consulate yesterday morning, at which time I was fortunate enough to be presented by Mr. Park.

Following luncheon today with Major Hulley, Officer Commanding of the Aden Troop, with whom Mr. and Mrs. Bentinck are staying while in Aden, the Minister expressed himself at some length and with considerable freedom on the subject of American representation in Abyssinia.

He stated that personally he would look forward very eagerly to the prospect of having an American colleague in Addis Ababa, as he had always found his American colleagues unusually congenial and helpful. He spoke warmly of Mr. Laughlin, who had been his colleague in Athens. His remarks indicated a natural disposition and sincere desire to co-operate with the

American

American representative in Abyssinia. He stated that he did not know Mr. Southard personally, but he evinced the keenest interest in Mr. Southard's previous service, and especially in the fact that Mr. Southard was known in Addis Ababa. He very kindly suggested that Mr. Southard and his family should be his guests during the first few, unsettled days following their arrival in Addis Ababa — provided this would not prove embarrassing to Mr. Southard. He added that he would gladly undertake the formal presentation of the new American Minister to His Highness, Ras Tafari, if this procedure were desired. He indicated that he considered this the logical "protocol" to follow.

Apart from his personal feelings, the British Minister stated that his Government would view the establishment of an American legation in Addis Ababa with pleasure, knowing that it could not but serve the British Government's own best interests. Mr. Bentinck had no doubt that the views of the two Governments would coincide to a very large extent, and added that where British official influence with the Ras might fail, by reason of distrust and fear of penetration, American influence, being of an impartial and disinterested nature, might prevail.

He referred to the time-honored practice of slave raiding and the smuggling of fire-arms into the country. The interests of his Government in Abyssinia, today, he stated, were threefold:

1. To prevent slave raiding across British borders.
2. To check the smuggling of fire-arms into the country, and lastly,
3. To further the Tsana dam project.

His omission of a fourth object — namely, the strengthening

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ing of the Central Government against subversive movements and the complete disaster which such movements imply — may possibly be considered as indicating that he considers the Regent to be more completely in control than in the past.

The importance of Abyssinia as a field for British capital and enterprise, Mr. Bentinck minimized. So much capital had been lost in the country and so many enterprises had utterly failed, that his Government could no longer officially encourage private investment.

In this connection mention was made of the 1906 Agreement. The British Minister indicated that although the Agreement limited the Ethiopian commercial field for his Government — as well as for the other two contracting parties, France and Italy — and although the United States was under no limitation or restriction whatever, such a situation was not a matter of serious concern to his Government, as Great Britain was not interested today in general commercial enterprise. Great Britain's interest, he said, lay in the Tsana (Tsana) Dam project.

Mr. Bentinck, in speaking of the present status of the1906 Agreement, said only that the French Government had been inclined in recent years to regard the Agreement as no longer in force. He conveyed the idea, by implication, that Great Britain and Italy still regarded the 1906 Agreement as in force.

It seems logical to believe, however, that should American representation in Ethiopia eventually be followed by the investment of private capital on a considerable scale, a

way

may would be found to terminate the 1906 Agreement — in so far, at least, as it limits the respective "spheres" of the three Powers. Mr. Bentinck stated that the only object of the Agreement, when originally made, was to prevent the possibility of serious misunderstanding between the Powers in the event of Menelik's death and subsequent turmoil in the country.

The Minister described the attitude of his French and Italian Colleagues in Addis Ababa as also favorable to American representation in the Capital. "The French and Italian Ministers hope", he said, " to see the United States wield the big stick with the Central Government. They believe that when the United States finds itself hindered and obstructed at every turn by the Abyssinian authorities, it will be less patient than they themselves have been."

As regards the position of Ras Tafari, Mr. Bentinck stated that his eagerness for an American representative in his Capital was occasioned by his belief that he could strengthen his hand against the mistrusted Powers.

It is apparent from the Minister's remarks that a curious situation exists. Both the Ras and the Powers favor American representation, each in the belief that his own hand will be strengthened against the other.

The foregoing despatch has been prepared with the invaluable co-operation of Mr. Park. It is intended in no way to supplement his many, carefully-prepared reports on the same subject, but merely to indicate that the views of the British Minister, as expressed today, are in complete accord with the exhaustive information which Mr. Park has already transmitted.

transmitted.

A copy of this despatch, as well as copies of any subsequent report relating to Abyssinia, will be forwarded to the Consulate General at Singapore, as of possible interest to Mr. Southard.

I have the honor to be, Sir,

Your obedient servant,

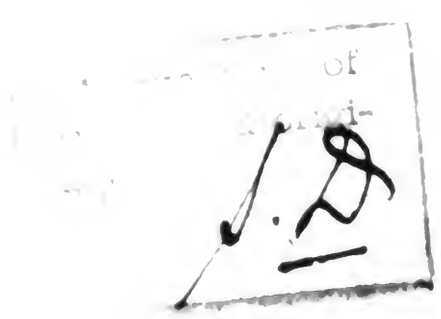
Clarence E. Aldridge,

American Vice Consul in Charge.

Original and four copies to the Department of State.
Copy to: American Embassy, London.
American Legation, Athens.
American Consulate General, Singapore.

File No. 701

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DOCUMENT FILE

NOTE

INDEX BUREAU
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SEE 500 A 14/462½ FOR Tel # 341 5 pm.

FROM ( ) DATED October 3, 1928.
NAME

TO France

1—1127

REGARDING:
proposed three power conference with Abyssinia and present status of arms traffic control.

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DEPARTMENT OF STATE
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DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

EXPORTATION OF ARMS TO ETHIOPIA.

Nov. 1, 1928

884.113 23
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MAIL AND RECORDS BUREAU

The question of the exportation of arms to Ethiopia has come up for consideration from time to time. It has therefore become desirable to ascertain what international agreements exist affecting this trade and what policies have been adopted by various Governments with respect to it.

In order to obtain a better prospective for the consideration of this subject it has been considered desirable to outline the developments since 1884. In October of that year Germany and France issued an invitation to various Governments to send representatives to a conference to meet in Berlin for the purpose of considering (1) the freedom of commerce in the basin and the mouth of the Congo (2) the application to the Congo and the Niger of the principles of the Vienna Congress relating to the free navigation of international rivers, and (3) the definition of the formalities to be observed in order to render the occupation of territories on the African Continent effective. The reason for calling the conference was that the interests

of the

of the European powers engaged in obtaining colonial possessions in Africa had conflicted at various points. On February 26, 1885 a General Convention was signed outlining the views of the delegates. This Convention, however, very soon required amplification and a new convention known as the General Act of Brussels was signed on July 2, 1890. Among the various questions regulated by the new convention is the supervision of trade in arms and ammunition. Articles VIII to XIV of the Convention which contains the provisions on this subject read as follows:

"Article VIII

> "The experience of all nations that have intercourse with Africa having shown the pernicious and preponderating part played by firearms in operations connected with the slave-trade as well as internal wars between the native tribes; and this same experience having clearly proved that the preservation of the African population whose existence it is the express wish of the powers to protect, is a radical impossibility, if measures restricting the trade in fire-arms and ammunition are not adopted, the powers decide, so far as the present state of their frontiers permits, that the importation of fire-arms, and especially of rifles and improved weapons, as well as of powder, ball and cartridges, is, except in the cases and under the conditions provided for in the following Article, prohibited in the territories comprised between the 20th parallel of North latitude and the 22d parallel of South latitude, and extending westward to the Atlantic Ocean and eastward to the Indian Ocean and its

dependencies

"dependencies, including the islands adjacent to the coast within 100 nautical miles from the shore.

Article IX.

"The introduction of fire-arms and ammunition, when there shall be occasion to authorize it in the possessions of the signatory powers that exercise rights of sovereignty or of protectorate in Africa, shall be regulated, unless identical or stricter regulations have already been enforced, in the following manner in the zone defined in Article VIII:

"All imported fire-arms shall be deposited, at the cost, risk and peril of the importers, in a public warehouse under the supervision of the State government. No withdrawal of fire-arms or imported ammunition shall take place from such warehouses without the previous authorization of the said government. This authorization shall, except in the cases hereinafter specified, be refused for the withdrawal of all arms for accurate firing such as rifles, magazine guns, or breech-loaders, whether whole or in detached pieces, their cartridges, caps, or other ammunition intended for them.

"In seaports and under conditions affording the needful guarantees, the respective governments may permit private warehouses, but only for ordinary powder and for flint-lock muskets, and to the exclusion of improved arms and ammunition therefor.

"Independently of the measures directly taken by governments for the arming of the public force and the organization of their defence, individual exceptions may be allowed in the case of persons furnishing sufficient guarantees that the weapon and ammunition delivered to them shall not be given, assigned or sold to third parties, and for travelers provided with a declaration of their government stating that the weapon and ammunition are intended for their personal defence exclusively.

"All arms, in the cases provided for in the preceding paragraph, shall be registered and marked by the supervising authorities, who shall deliver to the persons in question permits to bear arms, stating the name of the bearer and showing the stamp with which the weapon is marked. These permits shall be revocable in case proof is furnished that they

"that they have been improperly used, and shall be issued for five years only, but may be renewed.

"The above rule as to warehousing shall also apply to gunpowder.

"Only flint-lock guns, with unrifled barrels, and common gunpowder known as trade powder, may be withdrawn from the warehouses for sale. At each withdrawal of arms and ammunition of this kind for sale, the local authorities shall determine the regions in which such arms and ammunition may be sold. The regions in which the slave-trade is carried on shall always be excluded. Persons authorized to take arms or powder out of the public warehouses, shall present to the State government, every six months, detailed lists indicating the destinations of the arms and powder sold, as well as the quantities still remaining in the warehouses.

Article X.

"The Governments shall take all such measures as they may deem necessary to insure as complete a fulfilment as possible of the provisions respecting the importation, sale and transportation of fire-arms and ammunition, as well as to prevent either the entry or exit thereof via their inland frontiers, or the passage thereof to regions where the slave-trade is rife.

"The authorization of transit within the limits of the zone specified in Article VIII shall not be withheld when the arms and ammunition are to pass across the territory of the signatory or adherent power occupying the coast, towards inland territories under the sovereignty or protectorate of another signatory or adherent power, unless this latter power have direct access to the sea through its own territory. If this access be wholly interrupted, the authorization of transit can not be withheld. Any application for transit must be accompanied by a declaration emanating from the government of the power having the inland possessions, and certifying that the said arms and ammunition are not intended for sale, but are for the use of the authorities of such power, or of the military forces necessary for the protection of the missionary or commercial stations, or of persons mentioned by name in the declaration. Nevertheless, the territorial power of the coast retains the right to stop, exceptionally and provisionally, the transit of improved arms and ammunition across its territory,

if, in

"if, in consequence of inland disturbances or other serious danger, there is ground for fearing lest the despatch of arms and ammunition may compromise its own safety.

Article XI.

"The powers shall communicate to one another information relating to the traffic in fire-arms and ammunition, the permits granted, and the measures of repression in force in their respective territories.

Article XII.

"The powers engage to adopt or to propose to their respective legislative bodies the measures necessary everywhere to secure the punishment of infringers of the prohibitions contained in Articles VIII and IX, and that of their accomplices besides the seizure and confiscation of the prohibited arms and ammunition, either by fine or imprisonment, or by both of these penalties, in proportion to the importance of the infraction and in accordance with the gravity of each case.

Article XIII.

"The signatory powers that have possessions in Africa in contact with the zone specified in Article VIII, bind themselves to take the necessary measures for preventing the introduction of fire-arms and ammunition across their inland frontiers into the regions of said zone, at least that of improved arms and cartridges.

Article XIV.

"The system stipulated in Articles VIII to XIII, shall remain in force for twelve years. In case none of the contracting parties shall have given notice twelve months before the expiration of this period, of its intention to put an end to it, or shall have demanded its revision, it shall remain obligatory for two years longer, and shall thus continue in force from two years to two years."

In this

In this connection it should be noted that Ethiopia adhered to the General Act of Brussels on September 16, 1890.

On December 13, 1906, the Governments of Great Britain, France and Italy entered into an agreement for the purpose of making more effective the provisions of Articles VIII to XIV of the General Act of Brussels. An informal translation of the new agreement reads as follows:

> "Agreement between the United Kingdom, France, and Italy, Respecting the Importation of Arms and Ammunition into Abyssinia, signed at London, December 13, 1906.
>
> "France, Great Britain, and Italy, having a common interest in the prevention of all disturbances in their respective territories in Ethiopia and on the Red Sea littoral, the Gulf of Aden, and the Indian Ocean, have agreed as follows:
>
> "1. The Contracting Governments, having regard to the provisions of Articles VIII to XIII of the General Act of Brussels of the 2nd of July, 1890, bind themselves to exercise a rigorous supervision over the importation of arms and ammunition:
>
> "The French Government at Jibuti and Obok, in the territories of French Somaliland;
>
> "The British Government in British Somaliland and the ports and territories of Zelia, Berbera, Aden, and Perim; and
>
> "The Italian Government in Erythraea, Italian Somaliland, and more especially in the ports of Massawah and Assab.
>
> "2. Transit permits for arms and ammunition destined for the Ethiopian Government, recognized Ethiopian Chiefs, and private persons in Ethiopia, will only be granted on a request to that effect formulated by the said Government, indicating by name the persons authorized, the nature and quantity of arms and ammunition, and certifying

that

"that the said arms and ammunition are not intended for sale.

"3. The three Governments engage to make joint representations to the Negus with a view to the prohibition, in accordance with the provisions of the General Act of Brussels, of the traffic in arms and ammunition in Abyssinian territory.

"4. As regards the supervision of dhows trading for arms from Jibuti, Aden, Perim, Zelia, Massawah, Assab, and other ports of those regions to points outside the zone of protection defined by the Act of Brussels, measures will be taken to prevent them from smuggling.

"5. While expressly maintaining the principles of French legislation in regard to the right of visit, and it being agreed that the British and Italian Governments maintain their principles in regard to this question, the French Government agrees that the measures of control exercised by the local authorities in British and Italian territorial waters over small British and Italian native merchant craft (dhows) shall also be applicable in Italian and British territorial waters to dhows flying the French flag. The British and Italian Governments also agree that the measures of control exercised by the local authorities in French territorial waters over small French native merchant craft (dhows) shall also be applicable to dhows flying the British or Italian flags.

These measures shall be inforced without necessitating a recourse to the formalities laid down by the Consular Conventions in force between the three Governments.

"6. In order to facilitate the supervision of native craft, and in order to prevent any wrongful use of the flag, the three Governments engage to communicate to each other every year a list of the dhows authorized to fly their respective flags.

"7. The three Governments will further see that the dhow owners authorized to fly the French, British, or Italian flag shall such show such plain marks on their craft as will permit of easy recognition at a distance.

"8. The

"8. The British, French, and Italian Governments agree to instruct their respective local authorities to concert amongst themselves as to the best means of carrying out the measures to be taken as the result of this Agreement.

"9. The present Agreement shall hold good for a period of twelve years from the date of signature, and shall then remain in force for periods of three years, unless it is denounced six months before.

"Done at London, December 13, 1906.
(Signed) E. Grey
(Signed) Paul Cambon
(Signed) A. De San Guiliano."

From the time of the signature of the General Act of Brussels until the close of the World War, great progress had been made in the type of armaments in use. During the same period the demand for effective limitation of armaments had also been increasing. In the circumstances the Peace Conference found itself confronted with the complex situation of meeting the public demands for limiting armaments as well as with a desire to reduce the possibility of further military conflict. The Peace Conference therefore adopted a basis for new international agreements respecting the control of international trade in arms and ammunition. The basis for this control is indicated in Articles VIII, XXII and XXIII of the Covenant of the League of Nations. Article VIII gives expression to the desire of the signatory powers that a reduction in armaments be undertaken to the lowest point consistent with national safety. The Article

states

states that the members of the League agree that the manufacture of arms and ammunition by private enterprises is open to grave objections. By this Article the members of the League also undertake to exchange fully and frankly information concerning their armaments and concerning their military, naval and air programs and the condition of such industries in the respective countries as are adaptable to war-like purposes. It is evident, however, that it was not the intention of the conference to prohibit international trade in arms because Article VIII of the Convention states that due regard should be given to the necessities of those members of the League which were unable to manufacture ammunition and implements of war necessary for their safety.

In Article XXII the Covenant states that "other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police

purposes

purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League."

The provisions of Article XXIII are so important in this connection that I shall quote them in full:

> "Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:
>
> "(d) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;"

In pursuance of the provision contained in the League of Nations Covenant the Peace Conference drafted a convention for the control of international trade in arms and ammunition. A Convention for this purpose was signed at St. Germain on September 10, 1919. In order to insure the effectiveness of the Convention at the earliest possible date the delegates appended a protocol which expressed their views that pending the ratification of the Convention the Contracting Powers should take no measures in contravention of the treaty stipulations.

By Article I of the Convention the Contracting Parties undertook to prohibit the export of all arms and ammunition. By the second paragraph of the Article, however, they reserved to themselves the right to grant licenses for the

export

export of such arms for the needs of their own Governments or for any of the Governments parties to the Convention. The same Article states that in the case of "fire-arms and ammunition apt to be used in war and for other purposes" the High Contracting Parties reserve the right to determine according to the importance, destination, and all the particulars of any shipment, which of the uses for which the arms may be intended and their right to decide in every case whether the shipment was permissible under the provisions of the Convention.

By Article 2 the Contracting Parties undertook to prohibit (except through the granting of permits under certain conditions) the exportation of fire-arms and ammunition other than "war arms" and ammunition when intended for zones or countries specified in Article 6 of the Convention. The zones referred to are (1) all the African Continent with the exception of Algeria, Libya, the Union of South Africa, and the adjacent islands within less than 100 mautical miles of the coast, as well as the Islands of Princes, St. Thomas, Anabon and Socotra; (2) Trans-Caucasia, Arabia, Persia, Gwadar and the territories of the Continent of Asia, which on August 1, 1914, were parts of the Ottoman Empire; and (3) a certain

described

described ocean zone including the Red Sea, the Gulf of Aden, the Persian Gulf and the Sea of Oman.

Article 3 provided that such shipments as would be made under contracts entered into prior to the time the Convention came into force should be subjected to the provisions of the Convention. By Article 4 the Contracting Powers undertook to grant no export permits to a country refusing to accept the guardianship under which it had been placed, or having been placed under the guardianship of a power, should attempt without the assistance of the said power to obtain any of the arms and ammunition mentioned in Articles 1 and 2.

Article 5 provided for the organization of a Central Bureau under the order of the League of Nations. This Bureau would be charged with the duty of collecting and preserving documents of every kind exchanged between the Contracting Parties relating to the traffic in arms and ammunition. The last two paragraphs of Article 5 stipulated that each of the Contracting Powers should annually publish and submit to the Central Bureau and to the Secretary of the League of Nations a report concerning the licenses to export granted by it as well as full statistical information regarding the exportation of arms without licenses.

Chapter 3 of

Chapter 3 of the Convention (Articles 7 to 10) dealing with the supervision of the traffic in arms on land stated that arms and ammunition for the importation of which special permits had been issued could be entered only at the ports designated by the proper authorities and must be stored in public warehouses placed under the exclusive jurisdiction of these authorities. The articles placed in these warehouses could not be removed without previous license obtained from the public authorities in accordance with definite rules. In the zones specified in Article 6 the trade in arms and ammunition would be placed under the supervision of the public authorities and regulated in accordance with the principles stated in Article 8. The making and mounting of arms and ammunition in the zones mentioned in Article 6 would be entirely under the jurisdiction of the local authorities. The commodities in question might be transported by one State over the territory of another State within the prohibited zones if satisfactory guarantees had been given with respect to the eventual use and destination of the articles. In case of a violation of the guarantees no further permits would be granted to the offending state without the previous consent of the League of Nations.

In view of the delay in the action on the Convention by a number of Governments the British Ambassador proposed

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to the Conference of Ambassadors at Paris, June 30, 1920, that the protocol attached to the Convention shouldbe considered as applying only to the stipulations of the Convention which referred to the prohibited zones specified in Article 6. An announcement to that effect appeared subsequently in the BOARD OF TRADE JOURNAL.

The statement of the British Ambassador was not merely a statement of a policy but it became a rule of action for the European powers. This fact is illustrated by the following excerpt from a note of February 25, 1922, from the British Embassy in Washington to the Department:

> "The importation of arms into Abyssinia has, since the war, been practically stopped by the operation of the Tripartite Treaty of 1906 between Great Britain, France and Italy, reinforced by informal arrangements between these Powers.
>
> "Ras Taffari has, however, been endeavoring since April last to obtain permission to import the consignment of American arms to which I have already referred. The French and Italian Governments have agreed to their importation. His Majesty's Government have not yet agreed but have the matter under consideration. Should permission eventually be given by His Majesty's Government it will be in return for strict guarantees that the arms will remain in the personal possession of Ras Taffari.
>
> "In view, however, of the present conditions it is, in the opinion of His Majesty's Government, most undesirable that the importation of arms into Abyssinia except in the most restricted quantities should be permitted. I feel sure that this opinion is fully shared by the Government of the United

States

> "States and that it is unnecessary for me in any way to enlarge upon the unfortunate results which would be likely to flow from any widespread distribution of fire-arms in that country."

In this connection it should be noted that the restrictions mentioned in the foregoing quotation did not result in a complete prohibition on the importation of arms into Abyssinia because apparently certain quantities were exported to that country from France according to a telegram which appeared in LE TEMPS on April 15, 1923, dated from Rome April 14:

> "The CORRIERE BELLA SERA claims to have learnt from Addis-Ababa that the Abyssinian Government has received 'through the good offices of the French Government' twelve hundred rifles and two hundred thousand cartridges which are destined for the arming of the police force, which is endeavoring at the present time to repress the traffic of slave-traders who, from Sudan, try to cross Ethiopia in order to sell their slaves to the Sheiks of Arabia."

The League of Nations made repeated efforts to obtain the ratification of the Convention of St. Germain but only some of the smaller nations signified a willingness to ratify it. The Department received communications concerning the matter both from the Secretary General of the League and from the British Government urging the ratification of the Convention. After full consideration of the subject in the Department and after having obtained

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the views of the War and Navy Departments on the subject, the Department prepared a reply which, having received the approval of the President, was forwarded to the British Embassy on August 5, 1922. The objections formulated by this Government were stated as follows:

"After a careful examination of the terms of the Convention, it has been decided that the objections found thereto render impossible ratification by this Government.

"While the application of the Convention to certain designated areas or zones, extending in effect the Brussels Convention, may fulfill a useful object, the plan of the present Convention is much broader. As has been pointed out, the distinctive feature of this plan is not a provision for a general limitation of armament, but the creation of a system of control by the signatory powers of the traffic in arms and munitions, these signatory powers being left free not only to meet their own requirements in the territories subject to their jurisdiction but to provide for supplying each other with arms and munitions to the full extent that they may see fit.

"There is particular objection to the provisions by which the contracting parties would be prohibited from selling arms and munitions to states not parties to the Convention. By such provisions, this Government would be required to prevent shipments of military supplies to any of the following Latin American countries, (which it is understood have not signed or adhered to the Convention), viz., Argentina, Colombia, Costa Rica, Dominican Republic, Honduras, Mexico, Paraguay, Uruguay, and Salvador, however desirable it might be to permit such shipments, merely because they are not signatory powers and might not desire to adhere to the Convention.

"Finally, it may be observed that the provisions of the Convention relating to the

League

> "League of Nations are so intertwined with the whole Convention as to make it impracticable for this Government to ratify, in view of the fact that it is not a member of the League of Nations."

The Department also informed the British Embassy that it had no objection to the transmission to the League of Nations of a copy of the Department's note of August 5, 1922.

After the League had examined the Department's reply the Assembly adopted a resolution requesting the Temporary Mixed Commission to study the question further. The Assembly also recommended that the Council should invite the Government of the United States to cooperate with the Temporary Mixed Commission in the preparation of a draft convention or conventions. Subsequently an invitation was received by this Government from the League to cooperate in a preliminary study of the matter and this invitation was accepted. The Department instructed the American Minister to Switzerland to represent it in the study.

When Ethiopia applied for membership in the League of Nations, September 28, 1923, the League referred the application to a committee for consideration. The Committee based its investigation on the following questions:

(1) Is Ethiopia's request for admission into the League in order?

(2) Is Ethiopia recognized de jure and de facto and by what States?

(3) Does

(3) Does the country possess a stable Government and well defined frontiers?

(4) Is it fully self-governing?

(5) What have been the acts and declarations of Ethiopia

(a) As regards her international engagements;

(b) As regards the stipulations of the League with reference to armaments?

The Committee also had before it the telegram from the Prince Regent of Ethiopia (now King) stating that "the Abyssinian Government is prepared to accept the conditions laid down in Article I of the Covenant and to carry out all obligations incumbent upon members of the League of Nations."

The Committee of the League took note of the above declaration of Ethiopia as indicating her good will with respect to the fulfillment of her international obligations. It requested, however, that Ethiopia should sign the following declaration:

> "The Empire of Abyssinia, following the example of other sovereign States which have given special undertakings on the occasion of their admission to the League of Nations, makes the following declaration:
>
> "I. Abyssinia adheres to the obligations formulated in Article II, paragraph I, of the Convention signed at St. Germain-en-Laye on September 10th, 1919, amending the General Act of Berlin dated February 26th, 1885, and the General Act and Declaration of Brussels dated July 2nd, 1890.

"2. Abyssinia

"2. Abyssinia, recognizing as binding the system at present established with regard to the importation of arms and ammunitions, undertakes to conform to the principles set forth in the Convention and Protocol signed at St. Germain-en-Laye on September 10th, 1919, and in particular to the stipulations contained in Article VI of the said Convention.

"3. Abyssinia declares herself ready now and hereafter to furnish the Council with any information which it may require, and to take into consideration any recommendations which the Council may make with regard to the fulfillment of these obligations, in which she recognizes that the League of Nations is concerned."

The Committee of the League was of the opinion that from a military, naval and air point of view the present military, naval and air forces of Ethiopia did not constitute an objection to her admission to the League of Nations.

As a further indication of his willingness to fulfill the engagements respecting trade and possession of arms and ammunition the Prince Regent notified the Secretary General of the League that the Government had issued new and explicit regulations regarding arms and ammunition. He suggested also that if experience should prove these regulations inadequate it was his intention to amend and supplement them at a later date. The edict covering the regulations reads as follows:

"All persons are forbidden to enter or leave Abyssinia if in possession of weapons of war, or to import or export weapons of war, unless they have previously obtained authorization and have paid the duties in accordance with the regulations.

"Any

"Any person in possession of weapons of war is forbidden to transfer them by gift, or to sell them, unless he had previously obtained authorization and has paid the duties in accordance with the Regulations.

"All persons, except soldiers and persons in Government service, are forbidden to possess weapons of war unless they have had them stamped and have paid the stamping duty in accordance with the Regulations.

"It is forbidden to manufacture new weapons or to repair damaged weapons unless authorization has previously been obtained and the duty has been paid in accordance with the Regulations.

"The present Edict shall apply to firearms (weapons of war) but not to swords and lances (armes blanches). The latter may be manufactured without licences subject merely to payment of the duties hitherto imposed.

"This Edict shall come into force on the first day of Hamlie of the Year of Grace 1916 (July 8th, 1924). Violations of its provisions will be severely punished.

"Licenses shall be obtained and duties paid in the manner laid down in the Regulations, which may be seen at the Ministry of Foreign Affairs at Addis-Abbaba and in the offices of the provincial Governors in the provinces.

"The first day of Miazia of the Year of Grace 1916. (April 9th, 1924)."

After the Temporary Mixed Commission had done a considerable amount of preliminary work the powers sent representatives to Geneva to negotiate a new convention for the control of international trade in arms and ammunition to take the place of the St. Germain Convention of 1919. Article I of the new convention defined arms and ammunition into five categories which included war vessels of all kinds

(category 3)

(category 3) and aircraft (category 4). The Convention also made definite provisions for supervision and publicity. The provisions with respect to supervision of the trade in arms are contained principally in the following articles:

"Article 2.

"The High Contracting Parties undertake not to export or permit the export of articles covered by Category I, except in accordance with the following conditions:

"1. The export shall be for a direct supply to the Government of the importing State or, with the consent of such Goverhment, to a public authority subordinate to it;

"2. An order in writing, which shall be signed or endorsed by a representative of the importing Government duly authorised so to act, shall have been presented to the competent authorities of the exporting country. This order shall state that the articles to be exported are required for delivery to the importing Government or public authority as provided in paragraph 1.

"Article 3.

"Nevertheless, export for supply to private persons may be permitted in the following cases:

"1. Articles covered by Category I exported direct to a manufacture of war material for use by him for the requirements of his industry, provided their import has been duly authorised by the Government of the importing country;

"2. Rifles, muskets and carbines and their ammunition exported for supply to rifle associations formed for the encouragement of individual sport and duly authorised by their own Government to use them, the import of which is not contrary to any other provisions of the present Convention. Such arms and ammunition shall be sent direct to the Government of the importing country for transmission by such Government to the associations for which they are supplied.

"3. Samples

"3. Samples of articles covered by Category I exported for demonstration purposes direct to a trade representative of the exporting manufacturer, such representative being duly authorised by the Government of the importing country to receive them.

"In the above-mentioned cases, an order in writing, endorsed by the Government of the importing country or by its representative duly authorised so to act, must have been presented to the authorities of the exporting country. It shall contain all the information necessary to show that the order is properly made under this Article.

"Article 4.

"Permission to export under Articles 2 and 3 shall be signified by a licence. An export declaration, if filed with and approved by the competent authorities of the exporting country, may take the place of a licence.

"Such licence or declaration must contain:

"(a) A description sufficient for the identification of the articles to which it relates, and giving their designation according to the headings in Category I, and their number or weight;

"(b) The name and address of the exporter;

"(c) The name and address of the importing consignee;

"(d) The name of the Government which has authorised the import.

"Each separate consignment which crosses the frontier of the exporting country, whether by land, water or air, shall be accompanied by a document containing the particulars indicated above. This document may be either the licence or export declaration or a certified copy thereof or a certificate issued by the Customs authorities of the exporting country, stating that the consignment is exported under licence or export delcaration in accordance with the provisions of the present Convention.

"Article 5.

"Article 5.

"The articles covered by Category II shall only be exported under cover of an export document, which may be either a licence issued by the competent authorities of the exporting country or an export declaration endorsed by or filed with them. If the legislation of the importing country requires the endorsement of a duly authorised representative of its Government, and if this fact has been notified by the said Government to the Government of the exporting country, then such an endorsement must have been obtained and submitted to the competent authorities of the exporting country before the export may take place.

"Neither the licence nor the export declaration shall entail any responsibility upon the Government of the exporting country as to the destination or ultimate use of any consignment.

"Nevertheless, if the High Contracting Parties consider, on account of the size, destination or other circumstances of a consignment, that the arms and ammunition consigned are intended for war purposes, they undertake to apply to such consignment the provisions of Articles 2, 3 and 4."

The signatories to the Treaty agreed to publish full information regarding their importation or exportation of arms and they agreed not to apply a more favorable treatment to the importation of arms and ammunition coming from territories of non-contracting states than they would apply to such importation from territories of contracting states.

The new treaty also contained provisions with respect to special zones with which the trade in these commodities was to be subject to special supervision. These zones were (a) the whole of the Continent of Africa with the exception of Egypt,Lybia, Tunisia, Algeria, the Spanish possessions in North Africa, Abyssinia and the Union of South Africa

together

together with the territories under its mandate and of Southern Rhodesia. This zone also includes the adjacent islands which are situated within 100 marine miles from the coast thereof and also Prince's Island in the Bight of Biafra, St. Thomas, Annobon and Socotra but does not include the Spanish Islands situated to the North of the parallel of 63 degrees North latitude; (b) the Arabian peninsula, Gwadar, Syria, and the Libanon, Palestine and Transjordan and Iraq; (c) maritime zone which includes the Red Sea, the Gulf of Aden, the Persian Gulf and the Gulf of Oman. It should be noted that in the new convention Abyssinia was specifically excluded from the special zone. A more definite statement on that point is included in Article 28 which reads as follows:

> "Abyssinia, desirous of rendering as effective as possible the supervision of the trade in arms and ammunition and in implements of war, which is the subject of the present Convention, hereby undertakes, in the free exercise of her sovereign rights, to put into force, so far as concerns her own territory, all regulations which may be necessary to fulfil the provisions of Articles 12 to 18 inclusive of the said Convention relating to exports, imports and the transport of arms, ammunition and implements of war.
>
> "The High Contracting Parties take note of the above undertake, and, being in full sympathy with the desire of Abyssinia to render as effective as possible the supervision of the trade in arms, and ammunition and in implements of war, hereby undertake to conform to the provisions of the above-mentioned Articles so far as concerns Abyssinian territory, and to respect the regulations put into force, in accordance with the said undertaking, by Abyssinia as a sovereign State.

"If a

> "If a State, at present included in the special zones, should at the moment of its accession to the present Convention assume with respect to its own territory the same undertakings as those set forth in the first paragraph of this Article, and also, when such State possesses a seacoast, those contained in Articles 19 to 26 inclusive in so far as the same are applicable, the High Contracting Parties hereby declare that they will consider such State as excluded from the said zones from the date that its accession becomes effective as specified in Article 41 and that they will accept as regards such State the obligations set forth in the second paragraph of the present Article, and also, when the State excluded possesses a sea-coast, the obligations of Articles 19 to 27 inclusive in so far as they are applicable."

In Article 13 the signatory powers agreed not to export or to permit the exportation of articles covered by categories 1, 2, 4 and 5 to places within the special zone unless a license had been issued in conformity with the conditions specified in Article 14. It shouldbe noted that an export declaration if filed with and approved by the competent authorities of the exporting country might take the place of a license. Since Article 14 contains the provisions under which an export license shall be issued I am quoting it in full.

> "The High Contracting Parties undertake not to issue the export licences nor to approve the export declarations required under Article 13 unless they are satisfied that the conditions stated in paragraph (a) or (b) hereof are fulfilled and also, as regards articles covered by Categories I and II, the conditions laid down in Articles 2, 3, 4, and 5.
>
> "(a) That, if an export is being made to territory under the sovereignty, jurisdiction, protection or tutelage of a High Contracting Party, articles covered

by

"by Categories I, II and IV to which the licence or export declaration applies are required for lawful purposes and that the authorities of the territory to which they are consigned are willing to admit them; and that, in thecase of articles covered by Category V, a copy of the licence or export declaration has been sent to the authorities aforesaid before the export takes place.

"(b) That, if an export is being made to territory which is not under the sovereignty, jurisdiction, protection or tutelage of a High Contracting Party, articles covered by Categories I, II, IV and V are required for lawful purposes."

The conditions under which arms and ammunition might be shipped across the territory of one of the contracting parties to other territories are specified in Article 18 of which paragraphs 1 and 2 read as follows:

"The High Contracting Parties undertake, each in respect of any territory under its sovereignty, jurisdiction, protection or tutelage situated within the special zones, not to permit the transit by land across such territory of articles covered by Categories I, II, IV and V when their destination is another territory also situated in the special zones, unless their transport to their destination is assured and the authorities of the latter territory have authorised their import.

"The prohibition referred to in the above paragraph shall not apply to the transit of such articles, through a territory situated in the special zones when their destination is territory of one of the High Contracting Parties not included in the said zones, provided that their transport to their destination is assured."

It might be added that Article 33 provides for the suspension of the provisions with respect to supervision and publicity in time of war so that shipments of any consignments of arms and ammunition to the belligerents might

might be undertaken having in mind the general rules of neutrality..

In a despatch of June 21, 1927, the American Embassy at Paris stated that there had been a simple exchange of notes between Great Britain, France and Italy in which the powers are said to have agreed to apply in principle to Ethiopia the Geneva Convention of June 17, 1925 regarding the control of international trade in arms and ammunition.

The Near East and India of September 20, 1928, contained an article on this subject which may be of interest in this connection. The article states that recently, with the approval as it is understood of the British Government, a consignment of seventy rifles purchased in Great Britain was forwarded to Addis Ababa to an Abyssinian official. It is stated that the rifles had been detained at Jibouti by the French officials ostensibly on the ground that they ought not to be imported into Abyssinia. It is understood that efforts were being made to obtain the release of the arms. The article did not indicate whether any solution had been reached.

I am inclined to feel that the detention of the British arms at Jibouti is not so much an effort to enforce restrictions on importation of arms into Ethiopia but rather an expression of rivalry between the French and

British

British exporters of arms and ammunition.

The attitude of Great Britain with respect to the importation of arms into Ethiopia may be gathered from an interpellation in the British Parliament as quoted in the London TIMES on April 5, 1928:

> "Mr. N. MACLEAN (Glasgow, Govan, Lab.) asked the Secretary of State for Foreign Affairs whether the British Government had signed any Convention regarding the supply of arms to Abyssinia; and if he was satisfied that the terms of the Convention had been carried out.
>
> "SIR A. CHAMBERLAIN. - His Majesty's Government have subscribed to the Brussels Act of 1890, of which Articles 8 to 14 are specially relevant to the subject matter of this question. They have signed, with France and Italy, the tripartite Agreement of 1906 respecting the importation of arms and munitions into Abyssinia, and the Convention of St. Germain of 1919. The last-named never attained full force, but in 1920 Belgium, France, Great Britain, Italy, and Japan agreed among themselves that the protocol attached to the Convention should be regarded by them as applying only to those provisions of the Convention which concerned the prohibited areas specified in Article 6. Abyssinia being one of the prohibited areas, in the view of his Majesty's Government that Convention and protocol have since been applicable to that country. This was, in effect, recognized by Abyssinia herself on her admission to the League of Nations in 1923 when she undertook to act in conformity with the principles enunciated in the St. Germain Convention, and in particular with the provisions of Article 6 of that Convention. While they have on their part discharged all the obligations incumbent on them, his Majesty's Government are not satisfied that the terms of the Convention of 1919 have been carried out by all the other parties. They have therefore suggested to the Governments of Abyssinia, France, and Italy that, as the present régime has not worked smoothly, it might be advantageous to all four to anticipate the general coming into force of the Geneva Convention of 1925 and to apply its provisions to

"Abyssinia, subject to the concurrence of the other signatories and of the League of Nations. The Governments of France and Italy have agreed to be represented at a joint conference of the four Powers to consider whether and how this object can be attained. The Abyssinian Government have not yet given a final reply, but they still have the matter under consideration."

In this connection it may be desirable to indicate briefly the position taken by this Department with respect to the exportation of arms to Abyssinia. Early in 1927 inquiries were received from the Hambleton Company of Baltimore with respect to our views in the matter. After considerable thought had been given to the subject the Department suggested that the Hambleton Company instruct its representative in Europe to approach the French Government respecting the matter. The representative might state that his company had signed a contract to furnish a certain quantity of arms and ammunition to the Prince Regent of Abyssinia for the equipment of his Army and to request the French Government to facilitate the trans-shipment of this material at Jibouti. This line of action would not involve the admission on the part of this Government that the French Government had any right to prohibit this importation and would leave the Department free to take whatever action which should be considered desirable in case the French authorities should endeavor to prohibit the trans-shipment. A suggestion along the

same

same line was made to Dr. C. Martin and his representative Mr. Wise when they called at the Department on the same subject.

On August 2, 1928, the Italian Government signed an Agreement with Ethiopia for the construction of a motor road from Dessie to Assab in Italian Eritrea and granted a concession to the Ethiopian Government for a free zone on the sea coast at Assab under certain specified conditions. The only provision of the agreement of particular interest in this connection is the last paragraph of Article 4 which reads as follows:

> "The Ethiopian Government may construct a quay for the unloading of goods destined for Ethiopia. From this quay the Ethiopian Government may, with due respect for existing treaties between the powers of the world, transport all goods to the warehouses and from the warehouses to the frontier over the road provided for in the second Article of the present convention."

The exact interpretation of the above paragraph may be difficult to anticipate at this time but it is believed that the Italian Government no doubt had in mind the provisions of the Geneva Convention of June 17, 1925 respecting the control of the trade in arms and ammunition.

While not having any direct bearing on this subject, I am quoting a letter from Sir Gilbert Clayton to the King of Hejaz dated May 19, 1927. This letter gives

expression

expression to the policy of the British Government with respect to the exportation of arms and ammunition to the Hejaz and Nejd. The letter reads as follows:

"Sir G. Clayton to His Majesty the King of the Hejaz and of Nejd and its Dependencies.

"Your Majesty,

"With reference to the proposal put forward by your Majesty for the inclusion in the treaty of an article providing that His Britannic Majesty's Government should take no measures to prevent the purchase and importation of whatever arms, war material, ammunition, machines or implements which the Government of the Hejaz and Nejd may require for their own use, I have the honour to inform your Majesty that His Britannic Majesty's Government are of the opinion that this is a question which need not be dealt with in the body of the main treaty.

"I am, however, empowered by His Britannic Majesty's Government to inform your Majesty that the embargo on the export of war materials to Arabia has been removed, and that, if your Majesty should see fit to place orders for arms, ammunition and war material with British manufacturers, in accordance with the conditions set forth in the Arms Traffic Convention (1925), for the use of the Government of the Hejaz and Nejd, His Britannic Majesty's Government will not prevent the export thereof or place any obstacle to their importation into your Majesty's territories.

I shall endeavour in answer to your Majesty's desire, to present your Majesty with a copy of the convention referred to above as soon as may be.

Respects,

GILBERT CLAYTON,

His Britannic Majesty's Commissioner and Plenipotentiary

Jeddah, May 19th, 1927 (18th Zul Qa'da, 1345)."

IKC

From THE LONDON TIMES April 5, 1928

Importation of Arms Into Abyssinia.

Mr. N. MACLEAN (Glasgow, Govan, Lab.) asked the Secretary of State for Foreign Affairs whether the British Government had signed any Convention regarding the supply of arms to Abyssinia; and if he was satisfied that the terms of the Convention had been carried out.

SIR A. CHAMBERLAIN. - His Majesty's Government have subscribed to the Brussels Act of 1890, of which Articles 8 to 14 are specially relevant to the subject matter of this question. They have signed, with France and Italy, the tripartite Agreement of 1906 respecting the importation of arms and munitions into Abyssinia, and the Convention of St. Germain of 1919. The last-named never attained full force, but in 1920 Belgium, France, Great Britain, Italy, and Japan agreed among themselves that the protocol attached to the Convention should be regarded by them as applying only to those provisions of the Convention which concerned the prohibited areas specified in Article 6. Abyssinia being one of the prohibited areas, in the view of his Majesty's Government that Convention and protocol have since been applicable to that country. This was, in effect, recognized by Abyssinia herself on her admission to the League of Nations in 1923 when she undertook to act in conformity with the principles enunciated in the St. Germain Convention, and in particular with the provisions of Article 6 of that Convention. While they have on their part discharged all the obligations incumbent on them, his Majesty's Government are not satisfied that the terms of the Convention of 1919 have been carried out by all the other parties. They have therefore suggested

to

to the Governments of Abyssinia, France, and Italy that, as the present régime has not worked smoothly, it might be advantageous to all four to anticipate the general coming into force of the Geneva Convention of 1925 and to apply its provisions to Abyssinia, subject to the concurrence of the other signatories and of the League of Nations. The Governments of France and Italy have agreed to be represented at a joint conference of the four Powers to consider whether and how this object can be attained. The Abyssinian Government have not yet given a final reply, but they still have the matter under consideration.

Article from The NEAR EAST AND INDIA of September 20, 1928.

[illegible]
MAR 14 1929
CHANCERY

AT CROSS PURPOSES.

A [illegible] incident, but one which is by no means without its effect on international relations, is reported from Abyssinia. By agreement among the Great Powers the traffic in arms in backward countries is not encouraged; but it is recognised that restricted importation is justified when duly authorized. Recently, with the approval, it is understood, of the British Government, a consignment of seventy rifles purchased in Great Britain was dispatched to Addis Ababa to an Abyssinian official. The rifles, however, have been detained at Jibouti by the French officials, ostensibly on the ground that they ought not to be imported into Abyssinia, and so far, according to report, all efforts to obtain the removal of the French ban have failed. As an Abyssinian agent was actively engaged not very long ago in France in arranging a large purchase of arms, about the importation of which into Abyssinia no question was raised, the inference left on the Abyssinian mind is that the difficulties in the way of trade with Great Britain make it more practical to deal with France. It is not suggested that the obstacles are inspired from Paris, but experience points to a conception on the part of French colonial officials that the acid test of patriotism lies in efforts to thwart the interests of other nationalities. If the facts in regard to this Abyssinian incident are as stated, it would seem as if

the

the efforts of the Paris authorities some time ago to inculcate other views among their overseas officials had not been successful in French Somaliland.

84-113/23

DOCUMENT FILE

NOTE

DEPARTMENT OF STATE
NOV 14 1928

711.1113/231½

SEE F.W. 884.24/13 FOR Memo

FROM State Department
Near Eastern Division (Carlson) DATED November 13, 1928.
TO
NAME

1—1127

REGARDING: existing treaty obligations with respect to the exportation of arms to Abyssinia.

mb

DOCUMENT FILE

NOTE

INDEX BUREAU
884.111/3
2-24

SEE 031.11-American Museum of National History (Abyssinia) FOR Despatch #135

Confidential File

FROM Abyssinia (Southard) DATED Feb.8,1929.

NAME

TO

1—1127 o.p.o.

REGARDING: 250 rifle cartridges of the American Museum Expedition ~~had been~~ illicitly peddled about Addis Ababa.

th

DOCUMENT FILE

NOTE

SEE 884.6461-Tsana Dam/77 FOR Telt#13 6pm

FROM Abyssinia (Southard) DATED Mar 25, 1929

NAME

TO

1—1127

REGARDING: inquiry of White Engineering Corporation whether necessary arrangements could be made at Djibouti and Addis Ababa to bring in a few army rifles as presents to the Royal Family and Officials of the Abyssinian Government.

INDEX BUREAU

884.6461/25

b

DOCUMENT FILE

NOTE

SEE 884.6461-Tsana Dam/80 FOR Tel # 11 11am

FROM Abyssinia (Southard) DATED Mar 29, 1929
TO NAME

REGARDING: arrangements for the entry of rifles as gifts to Abyssinian officials into Ethiopia.

NEAR EAST BUREAU
884.113/26
1—1127

b

EG

GRAY

ADDIS ABABA

Dated March 29, 1939

Recd. 12.50 p.m. 30th

Secretary of State

Washington

11. March 29, 11 a.m.

Referring to Department's telegram of March 25, p.m.

Arrangements can be made for the rifles to enter Ethiopia. If they are in a separate box addressed to the Legation I can enter them without difficulty at Djibouti. Otherwise delay may be expected unless a permit is requested immediately. Please reply by telegraph total number of rifles and ammunition.

SOUTHARD

WSB

DOCUMENT FILE

NOTE

SEE 884.00/151 FOR #158

FROM Abyssinia (Southard) DATED Mar.5,1929

NAME

TO

884.113/27

REGARDING: lack of proper military or police discipline because of restriction by Britain, France and Italy of the importations of arms and ammunition into Ethiopia. Obvious purpose is to handicap the power of central government of King Tafari.

Wh

Addis Ababa,
Ethiopia.

March 5th, 1929.

[redacted]

No. 156.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to report a second recently occurred "incident" of detention (please refer to Diplomatic Despatch No. 142 of February 16th, 1929, for the first) of foreigners travelling in the provinces of Ethiopia.

A party of Frenchmen travelling from Cairo through the Sudan and into Ethiopia to Addis Ababa with two six-wheeled Renault motor cars as an advertising endurance test for the Renault Company was detained [redacted] by the local Ethiopian acting

acting governor for a period of about ten days at a place called Nejo in the sub-province of Leko. Nejo is not marked on most maps but may be found at about 9 1/2 degrees north latitude between the 35th and 36th degrees of longitude. It is on almost a direct line west from Addis Ababa to the frontier of the Sudan.

My French colleague informs me that he had previously arranged in Addis Ababa all necessary permits and passports for the travel of this Renault party from the Sudan through Ethiopia to Addis Ababa. He is quite indignant over the detention and has notified the Ethiopian Government that a claim for damages will be filed.

The party was detained at Nejo for about ten days during February. It was not permitted to send any letters, telephone messages or other communication to Addis Ababa. The detention was learned of at the French Legation in Addis Ababa by word received from the Swedish medical missionary establishment at Nejo. Upon appeal by the Legation the central Ethiopian Government was able to procure its release and the journey to Addis Ababa was resumed where the party has just arrived.

The acting governor of the district who detained the party offered the excuse that the permits and passports were not in order. My French

colleague

colleague says the reason is not well taken as the permits and passports were issued from Addis Ababa and were positively in order. From other sources I draw the conclusion that among the reasons was that the members of the party attempted more or less to defy the provincial authorities in some small matter of routine and were originally placed under disciplinary arrest.

The average Ethiopian provincial ruler is more than ordinarily arrogant and unreasoning in the exercise of his power. He is encouraged in such attitude by the lack of strength of the central government which is unable to exercise proper military or police discipline because of lack of arms and ammunition for equipment. As has been previously commented upon in reports from this office the importation of arms and ammunition into Ethiopia is more or less prohibited by Britain, France and Italy whose colonial possessions surround the country. King Tafari is making a notable and partially successful endeavor to consolidate the power of the central government but is greatly handicapped by the inability to obtain sufficient proper equipment for his military police.

The three indicated powers responsible for restriction of the importation of arms and ammunition appear to be the most critical of the lack of

strength

strength of the central government and might almost be suspected of desiring to foster the present situation for the purpose of producing "incidents" such as the one reported in this despatch. Their apparent ultimate purpose is, of course, to demonstrate the lack of strength of the central government and thus facilitate the happening of "incidents" which can be used as propaganda to elicit international criticism and condemnation. It is difficult to view the matter in any other light.

Encouraged by these recent detentions and probable immunity from effective punishment more of the provincial rulers may be expected to arrest or detain foreigners travelling in their respective territories. In the opinion of this Legation there may reasonably be expected to occur incidents of much more serious character. The parties of foreigners which travel in the Ethiopian interior are invariably well armed and should some hot headed fellow fire a shot there will likely be precipitated a battle costing foreign lives. There are at present three American parties travelling in the interior, all of which are well provided with the necessary passports and permits obtained from the central Ethiopian Government by this Legation. They are believed as liable to detention as the two parties (the Pruffer-Porta party and the Ronsult party) already reported from this office.

The

The provincial rulers most likely to detain foreign travellers are those who belong to the governmental faction opposed to King Tafari. Their party is anti-foreign by constitution but acts against foreigners would be motivated more by a desire to embarass King Tafari and the central government. Further fuel to such activity has been provided by the recent development of anti-missionary feeling as reported in Diplomatic Despatch No. 155 of February 27th, 1929, from this office.

King Tafari is fully able to extend and consolidate the authority of the central government if he but had sufficient equipment for his military police. Even with insufficient equipment of the kind he has, partly by moral suasion and astute politics, made unusual progress and has brought the power of the central government to a higher plane of efficiency than it has reached at any time since the death of the Emperor Menelek.

The detention of the Rensult party is not so important in itself but is of considerable significance as representing a course pursued by anti-Tafari activity in the country. This is not great in strength but is sufficient to be dangerous in its possible power to cause an "incident" which might result in the killing of foreign travellers with obvious consequences. The main remedy is to permit the central government to import sufficient military

equipment

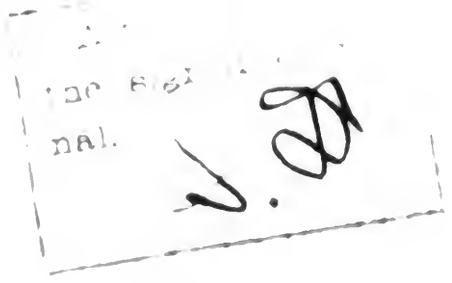
equipment for at least effective police purposes. Apparently this will not be possible so long as Britain, France and Italy follow their present policies aimed, as one is inclined to suspect, at the eventual strangulation of Ethiopia as a sovereign state.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

File No. 800/030
AES.sid.



LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

March 6th, 1929.

APR 15 [illegible]

CONFIDENTIAL.

DEPARTMENT OF STATE
APR 16 1929
DIVISION OF
NEAR EASTERN AFFAIRS

FOR DISTRI[illegible]

Embassy
Embassy

Rome
Paris

No. 159.

Copy Transmitted by The
Commercial Office (A.C/C)
To Rome
Paris

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to my Diplomatic Despatch No. 158 of March 5th, 1929, reporting the incident of the detention at Nejo of the Renault motor car expedition, and to submit the following comment in continuation of the references in that despatch to the restriction by Britain, France and Italy of the importations of arms and ammunition into Ethiopia.

There has lately been much rumor and gossip of small shipments of arms and ammunition being permitted secretly to pass through Djibouti — upon payment to

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Confidential File

to the officials there of appropriate "backsheesh" — to official Ethiopian purchasers. The rumor, which is persistent enough to warrant making it of record, that such shipments are slipping through is less important than the alleged motive for the French official dereliction. The motive is said mainly to be revenge against Italy on account of various grievances of which the most important local one is the proposed Italo-Ethiopian road from Assab to Dessie in competition with the Franco-Ethiopian railway. For the nearly fourteen years during which I have had more or less intimate contact with the Red Sea area I have never failed to hear that as the French officials of Djibouti are paid comparatively small salaries they depend, as a matter of course, upon the many bribes which are always forthcoming to the receptive palm. The opportunity for combining revenge with profit seems to give all the more color to the above suggested rumors as to arms shipments.

It is generally understood here that Italy is just now the most concerned of the three powers — Britain and France being the other two — in keeping the Ethiopians from being appropriately supplied with arms and munitions. The present policy of Italy appears to be peaceful penetration of Ethiopia, but one who has followed Italian design in this area and evident determination to control Ethiopian

economic

economic development can readily see that what peaceful methods are not able to accomplish may be left to more forceful methods. Considering Italian temperament and disposition it is difficult to conceive how their great national pride can ever forget the humiliation of Adowa in 1896. Only a military victory could satisfactorily close that humiliating memory. On the other hand there is a large Ethiopian party which looks with contempt on the Italians and believes, probably fatuously, that it is more than a match for any Italian army if but given the chance for a fight. This Ethiopian contempt for the Italians will doubtless survive through the present and perhaps through another generation. King Tafari combats it and the recent apparently friendly Italo-Ethiopian understanding has come almost entirely from his personal efforts assisted by Italian flattery and opulent gifts to those Ethiopians who can thus be reached.

The present Italian Minister in Addis Ababa is personally quite influential here. Part of his influence has been built up by his personality and ability, but much of it comes from elaborate entertaining and gifts to the Ethiopians at Italian official expense. He has been able to improve his opportunities on the basis of King Tafari's well known desire for peaceful and friendly relations with all nations — including Italy. Many influential Ethiopians here have an

inherent

inherent hatred of Italy and the Italians. Those who have advanced beyond the stage of hating find it difficult, even to please King Tafari, to go as far as respect in their feelings. King Tafari has apparently established for himself a state of mind where he desires to like and respect the Italians equally with all other nationalities. It remains to be seen how successful he may be in carrying the country with him. His Majesty does more or less dictate Ethiopian foreign policy, but so long as the present Empress contimues as at least the nominal head of government his attitude of friendship towards Italy will find a majority opposition.

The people are far from solid in their support of the Italian feature of His Majesty's international policy and relations. Even within his own party there is suppressed dissent, mainly from the young Francophiles educated in French missionary schools of whom a fair number have risen to important official position.

Since the signing of the Italo-Ethiopian treaty and convention on August 2nd, 1928, I have given particular attention to ascertaining from all available sources to just what extent the document is really a <u>peace</u> treaty. I find it difficult even to imagine that Italy is as honestly intentioned in relations with Ethiopia as Italian international propaganda seeks to demonstrate, and I am strongly

inclined

inclined to believe that the recent agreement is not so much a "peace treaty" as a purely political gesture made possible by Italian flattery and gift-bearing combined with King Tafari's disposition to friendship and good will towards all the world. In justice to my Italian colleague I should add that his personal standing here had its bit to do with obtaining King Tafari's signature to the instrument. He knows that real or sincere friendship between the two countries is improbable.

As reported at the time of the treaty signing the Empress, influenced by the church and her political party, flatly refused at practically the last moment to authorize Tafari to proceed with the treaty negotiations. Only by threat of retiring to his paternal province did he win her reluctant assent. From my close contacts with Ethiopian church and official circles I have become convinced, as reported from time to time, that Tafari's rapprochement with the Italians has given considerable incentive to the opposition party. Tafari's former friendship with the French has also become for the time decidedly lukewarm and the French at least blame Italian influence. French standing with the party of the Empress is not great but is distinctly more favorable than that of either Britain or Italy.

It

It has not lost in strength as a result of Tafari's apparent friendship with the Italians. King Tafari's Italian policy may win in the end but it also has brought him considerable trouble, direct and indirect, from the opposition in the country. Among the more recent embarassments which it has developed for His Majesty is that connected with the Italian Roman Catholic missionaries in the province of Kaffa, to which reference is made on pages 19 and 20 of my Diplomatic Despatch No. 155 of February 27th, 1929.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

4 Carbon Copies
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W.V.W.

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Pol. Sec.

DEPARTMENT OF STATE

DIVISION OF WESTERN EUROPEAN AFFAIRS

April 19, 1929.

WE - ~~HO~~:
~~BHR~~:
NE - GHS:

It would be interesting to know whether the granting of a free zone at Assab to Ethiopia under the recent Italo-Ethiopian Convention will permit of the free importation of arms by Ras Tafari if and when the route from that port to the interior envisaged by the agreement is constructed, or whether the provisions of the St. Germain Treaty in regard to Traffic in Arms in Africa remain paramount.

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DEPARTMENT OF STATE

DIVISION OF WESTERN EUROPEAN AFFAIRS

MEMORANDUM

April 25, 1929.

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Dept. of State

DEPARTMENT OF STATE
MAY 7 1929
DIVISION OF
NEAR EASTERN AFFAIRS

WE

Mr. Le Clercq:

NE:

With reference to Mr. Le Clercq's memorandum of April 19, 1929, the last paragraph of Article 4 of the Convention of August 2, 1928, between Italy and Ethiopia reads as follows:

> "The Ethiopian Government may also build a wharf where the depot is situated. This wharf may extend out into the harbor and be connected with the depot by a passage to be decided upon later. The aforesaid wharf may be used for the mooring of ships of the Ethiopian Government, and also trade vessels of other countries. The Ethiopian Government will have right of way for everything transported from the wharf to the aforesaid depot and from there to the point of intersection between the Italo-Ethiopian frontier and the road to be built according to the provisions set forth in Article 2, with the proviso that international conventions be observed."

The above translation is taken from a report of our Military Attaché in Rome and his comment in relation to the question of the importation of arms is as follows:

> "The last sentence of Article 4 is thought to be intentionally ambiguous. The importation of arms by Abyssinia, as I understand it, is now controlled by the League of Nations through international agreements. Some people are mean enough to imply that one of the main reasons why Abyssinia wanted a free port at Assab was to be able to import arms without any other supervision or checking

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ing up on same. It is of course too early to predict the consequences of this agreement. In the East it is not unknown for an agreement of this kind to be made and then nothing further happen."

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DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

Dept. of State
JUN 14 1929
Index Bureau
RECEIVED

June 13, 1929

Memorandum of Conversation

Yesterday (June 12) Mr. Murray brought in Mr. King, a nephew of Senator King, who stated that he wished to secure information with regard to the shipment of arms to Ethiopia. Mr. King stated that his associates (later learned to be Mr. George T. Wise and Lieutenant Wade) had several months ago made an agreement with Doctor W. C. Martin, who was at that time in the United States, by which it was agreed to furnish the Ethiopian Government with a large order of arms and ammunition. Doctor Martin had deposited in a New York bank a large sum of money which was held in escrow pending the arrival of the arms in Addis Ababa. Mr. King's associates had encountered difficulties in arranging for the shipment of the arms to Ethiopia, and such a length of time had passed that they considered it wise to write to Doctor Martin to inquire whether the contract was still valid. In reply to the letter to Doctor Martin Mr. Wise had received a letter from Mr. Southard, our Minister at Addis Ababa, extracts of which Mr. King read to me.

(The Department's copy of this letter is attached

One

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to this memorandum).

It was Mr. King's present purpose to ascertain whether there were any obstacles to making shipment of the order which the Ethiopian Government had transmitted through Mr. Southard.

After learning that certain of Mr. King's associates had called at the Department some time ago to learn of the conditions governing the shipment of arms into Ethiopia, I explained that there had been no material change in the situation and that there appeared to be no manner in which the Department could be of assistance. At the same time I added that certain other American firms were interested in the same proposition and that so far as I knew none had been successful in making shipment.

Mr. King went on to say that he and his associates had corresponded with the French Foreign Office seeking a permit for the entry of arms and ammunition to Ethiopia, but though several months had elapsed no reply had been received from the French authorities. Mr. Wise had also interviewed a member of the staff of the local French Embassy who had suggested that the matter be discussed with the Commercial Attaché of the Embassy in New York. It was Mr. King's intention to go to New York in the near future and seek an interview with the Commercial Attaché and, if it appeared desirable, he might go on to Paris to take

up

up the matter at the French Foreign Office.

Mr. King then made some inquiries with regard to freight rates from Djibouti to Addis Ababa and transit duties across French Somaliland. After being told that it would take a short time to look up these matters he said that he would return on the next day.

Today (June 12) Mr. King called in company with Mr. George Wise. I furnished him with information with regard to transit duties and freight rates, and added that I could not refrain from discouraging his attempt to get arms through to Addis Ababa. He replied that there were now many arms in Ethiopia and that ammunition must be brought in in some manner, probably by the French; it was his feeling that he was as much entitled to this business as was a French merchant. With this last point I agreed with him, but pointed out that the arms and ammunition brought legitimately into Ethiopia at the present time were imported in small quantities. While it might be profitable for a merchant in Addis Ababa to bring in these small quantities it would hardly be a paying proposition for Mr. King and his associates. Mr. King agreed with this, and then inquired whether it would be feasible to land arms on the Arabian coast and convey them to Addis Ababa by aeroplane. This proposal I thought could hardly be considered seriously, but I replied that so far as we knew no aeroplanes had ever

operated in that region, with the exception of military planes of the interested European Powers, and I added that it hardly seemed possible to make delivery of two tanks by aeroplane.

As he was about to leave I inquired whether the associates had organized a company to handle the proposed business, and Mr. King replied that this had not yet been done, but that a company would be formed as soon as it became clear that the business was possible.

Mr. King plans to call on the French Commercial Attaché in New York within the next few days. I told him that we should be interested in hearing of the outcome of this interview, but that under present conditions he could hardly expect assistance from the Department.

PH[illegible]-

COPY

Addis Ababa,
Ethiopia,

May 5th, 1929.

George T. Wise, Esquire,

4700 Connecticut Ave., N. W.,

Washington, D. C.

Dear Sir:

A representative of His Majesty, King Tafari Makonnen, has just come to this office with the letter of February 11th, 1929, which you addressed to Doctor Wargneh C. Martin and in which you state that you are prepared to ship to the Ethiopian Government any military or other supplies which it may desire; that you can guarantee delivery in Addis Ababa; that you can arrange for necessary authorization from the Department of State; etc., etc.

You state that the Ethiopian Government is to deposit money <u>in escrow</u> to cover purchases and that such money is to be released to you upon completion of a given shipment with deposit of insurance papers, invoices for through transportation, and other details.

Your

884.1113/30

Your letter requests a detailed list of the purchases which the Ethiopian Government may desire made. Such
1/ a list has been prepared, in the nature of a trial order, and is sent you herewith by request of the appropriate agency of that government. The King asks this office to obtain for him from you by telegraph or return mail quotations on this list complete with all shipping and other costs. Upon receipt of your quotations he states that he will decide whether to place the order and if so will arrange for payment through the American bank in which he keeps a deposit account.

It should be emphasized that this office accepts no responsibility in connection with this matter. We are acting merely as a forwarding agency for His Majesty's correspondence and by special request of the Ethiopian Government which is not equipped to carry on correspondence of this sort in English.

This office is, of course, greatly interested in the extension of American trade but does not know that the articles listed herewith may be freely exported from the United States. The Ethiopian Government understands

from

from your letter that you are in a position to make all necessary arrangements with the appropriate agencies of the United States Government. As your letter guarantees to make deliveries in Addis Ababa it is assumed that you are also in a position to make necessary arrangements for transit of the shipment through Djibouti, French Somaliland. That cannot be done from this end. You have, of course, approached the central government at Paris for approval?

Please believe me to be, dear Sir, always at your service in any matter in which we may appropriately assist.

Very truly yours,

ADDISON E. SOUTHARD.

2 enclosures

File 824.2.
AES/sid.

Enclosure.

1500 Springfield rifles with straps and bayonets.
State model.

500 Rifles, short, carbine style.

24 Colt Machine Guns, with stands.

48 Machine Rifles, with strap and bayonet, etc.

48 Colt Revolvers, 45 Cal.

500 Saddles for soldiers, McClellan.

2000 Cartridge belts, for rifle cartridges.

5,000,000 Cartridges for rifles and machine guns.

3860 Revolver cartridges.

2 Tanks. One with machine guns and lorry. The other with gun for shells.
48 Saddles for Mules on which to mount machine guns.

2000 Soldiers' packs with complete equipment.

12 Mountain guns for carrying on mules together with necessary saddles for purpose.

2500 Explosive Shells for above mountain guns.

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa,
Ethiopia.

313215

June 25th, 1929.

DEPARTMENT OF STATE
JUL 27 1929
ASSISTANT SECRETARY OF STATE

DEPARTMENT OF STATE
JUL 26 1929
DIVISION OF
NEAR EASTERN AFFAIRS

REC'D
JUL 29 1929
DEPT. OF STATE

#1223

FOR DISTRIBUTION - CHECK Yes No
To Field
In U. S. A
Copy sent M.I.D. & Commerce
JUL 29 1929 KC

INDEX BUREAU
884.113/31

No. 215.

FILED
JUL 30 1929

884.113

The Honorable

The Secretary of State,

Washington.

STRICTLY CONFIDENTIAL

STRICTLY CONFIDENTIAL

Sir:

I have the honor, apropos the general subject of importation of arms and ammunition into Ethiopia, to report that the Legation has learned from an authentic source of the arrival in Addis Ababa on June 9th, 1929, of seventy cases of arms and ammunition for the Ethiopian Government.

This shipment is stated to have been made from Italy by a commercial firm on behalf of the Italian Government. King Tafari purchased the arms from the Italian Government in 1927, through intervention of the local Italian Legation in the pursuit of favor

with

STRICTLY CONFIDENTIAL

STRICTLY CONFIDENTIAL

with the Ethiopians. The shipment was detained for a long while in Djibouti but was released, according to my informant who heads one of the local Legations, by special consent or agreement between Britain, France, and Italy.

The shipment is understood to consist of one hundred Colt machine guns, purchased by the Italians from the American military supplies in Italy at the close of the war and made into Italian caliber; one thousand rifles; three hundred and fifty carbines; one million rounds of machine gun ammunition; and a little more than one million rounds of rifle ammunition.

To have been able to provide King Tafari with these much wanted supplies is a real accomplishment of the Italian Government in its bid for Ethiopian favor. How the Italians were able to influence British and French consent to the entry of the shipment causes one to wonder, but the Legation has reliable oral information that such has been done.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

It would seem obvious that it was done!

DOCUMENT FILE

NOTE

DEPARTMENT OF STATE
INDEX BUREAU
884.113/32

SEE 884.248/12 FOR # 215

FROM Abyssinia (Southard) DATED June 24, 1929.
TO NAME

1—1127

REGARDING: King Tafari's offer to send a delegate to the Paris conference provided the French immediately release the planes detained at Djibouti. The King has been informed that the planes will only be released after the King has actually appointed a delegate and started him off for Paris.

mb

Addis Ababa,
Ethiopia.

June 24th, 1929.

No. 213.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's No. 206 of June 14th, 1929, on the subject of the detention at Djibouti of three French airplanes and of one German airplane intended for delivery in Ethiopia.

Despatch No. 206 suggests that the planes are being held in Djibouti to force the Ethiopians to a conference planned by Britain, France and Italy to take place in Paris to consider the granting to the Ethiopian Government of limited permits for the importation of arms and munitions. Two of my colleagues in the local Diplomatic Corps inform me that King Tafari has now consented to send

send a delegate to the Paris conference in question if the French Government will at once release the planes detained at Djibouti.

The Legation further understands that King Tafari has been informed that he must first appoint the delegate and start him off to Paris before the planes will be released. The King has been advised that the conference will now be scheduled to occur next month (July).

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

File 884.2.
AES/sid.

A true copy of the signed original.

AM RECD
INDEX BUREAU

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

July 10th, 1929.

DEPARTMENT OF STATE
AUG 15 1929
DIVISION OF
FAR EASTERN AFFAIRS

ASSISTANT SECRETARY OF STATE
AUG 24 1929
DEPARTMENT OF STATE
A-O/O

AM RECD
INDEX BUREAU
AUG 15 1929
DEPT. OF STATE

FILED
AUG 26 1929

INDEX BUREAU

884.113/33

No. 223.

AUG 24 1929

The Honorable

The Secretary of State,

Washington.

STRICTLY CONFIDENTIAL

STRICTLY CONFIDENTIAL

Sir:

I have the honor to refer to the Department's memorandum instruction No. 66 of June 1st, 1929, just received, enclosing copy of a report from the Military Attaché at Rome with regard to the manufacture of semi-automatic rifles in Italy for the Ethiopian Government.

The information from the Military Attaché at Rome is confirmed to an important extent by the Legation's No. 215 of June 25th, 1929, reporting the arrival in Addis Ababa of seventy cases of arms and ammunition from Italian sources.

The

The Legation is further reliably informed from local sources that there have arrived, or are about to arrive in Djibouti, a total of six tanks for military purposes shipped by the Italian Government to the Ethiopians. No reliable information has yet been obtained how, in view of the Anglo-French-Italian restriction on arms importations into Ethiopia, has been obtained the necessary permission for the transit of these Italian arms and munitions through Djibouti. This Legation strongly suspects that the French, in their recently renewed campaign to regain favor at the Ethiopian court, have made a special point of permitting such transit as a special concession to the Ethiopians. In this connection my French colleague tells me that the permission has been granted by "special arrangement" between the three powers, but he significantly cannot be brought to reveal the quid pro quo which is never absent in such deals here. My British colleague professes to know nothing of the arrangement, although I suspect that he is not being entirely frank. This latest development of the shipment of Italian arms and ammunition into Ethiopia is the most mysterious for purposes of solution of all the many "deals" which have come up in local politics since the opening of this Legation.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

AM RECD

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa,
Ethiopia.

July 11th, 1929.

DEPARTMENT OF STATE
JUL 16 1929
DIVISION OF
NEAR EASTERN AFFAIRS

ASSISTANT SECRETARY OF STATE
DEPARTMENT OF STATE
JUL 23 1929
A-C/O

CONFIDENTIAL.

AM RECD
BUREAU OF STATE
DIVISION OF
AUG 15 23

No. 224.

FOR DISTRIBUTION
AUG 24 1929

MID despatch out
pol MID

The Honorable

The Secretary of State,

Washington.

STRICTLY CONFIDENTIAL

Sir:

I have the honor to refer to the Legation's No. 223 of July 10th, 1929, with regard to the importation into Ethiopia of Italian arms and ammunition for King Tafari.

The Legation has learned of what is perhaps one of the reasons for the supply of the arms. Ras Guksa Arie (to be distinguished from Ras Guksa Woli of Gondar who is ex-husband of the Empress) was recently called to Addis Ababa from Tigre, where he governs an area with seat at the town of Makalle, for conference with King Tafari in connection with a punitive expedition

against

AUG 26 1929
FILED

against the Dankalis of the desert lands between the Ethiopian plateau and the Assab district of Eritrea. As has been reported at various times (the Legation's 884.154/9 No. 137 of February 10th, 1929, No. 190 of May 7th, 884.154/15 1929, etc.) the Dankalis of the area indicated are hostile to the building of the proposed Italian Assab-Dessie road. These tribesmen are always hostile to expeditions into their territory but have been particularly so since the Italo-Ethiopian road convention. There is also persistent rumor that their more active hostility has been instigated from French sources.

At any rate the Legation is reliably informed that King Tafari has charged Ras Guksa with a punitive expedition against the Dankalis and has provided him with considerable ammunition and some arms for the purpose. Guksa has returned to his territory via Djibouti and Massowah, but the military supplies will go overland to Makalle. The Italians would, of course, be keenly interested in having the Ethiopians punish the Dankalis and may well have instigated the instructions of King Tafari to Ras Guksa. The Italians would also be interested in providing the King with arms and ammunition for the purpose, such as have lately come in through Djibouti.

On the other hand we have the circumstance of whether the French would let arms of the sort come in for use in furthering Italian aims and in punishing

the

the Dankalis whom the French are alleged to have stirred up. However, the French have their axes to grind and by permitting the Ethiopians to import even Italian arms and ammunition via Djibouti may feel that the end they seek justifies the means. The French are at present making an active bid for restoration of their influence and favor at the Ethiopian court.

Ras Guksa Arie has been assiduously courted by the Italians, as he rules one of the northern areas on which they have their eye, but those who know him well inform the Legation that his dislike and mistrust of the Italians is too deep ever to permit him to become their man. The form, CONFIDENTIAL BIOGRAPHIC DATA, on Ras Guksa, is transmitted herewith. This Ras is a particularly important man to King Tafari as he appears to be one of the very few northern provincial rulers upon whose loyalty the King may reasonably have dependence. The provincial rulers of the north are in general a great worry to the King and should there ever develop a revolt that area will probably be the center of it.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

711.20A BD
84

4 Carbon Copies
Received
Form Enclosed.

Form for Diplomats, Officials, Eminent Persons, Journalists, etc.

File name (Ras) GUKSA ARIE (Best known name only) Nationality Ethiopian (Tigre)

~~CONFIDENTIAL~~ BIOGRAPHIC DATA

NOTE.—Consult *Diplomatic Serial 530 of August 7, 1926*, and references therein. Forms are to be prepared on typewriter in triplicate, one copy for files and two for Department.
Offices sending communications to the European Information Center should forward extra copy of this form to E. I. C.

Post Addis Ababa Date of preparation July 11th, 1929 Prepared by Southard.

Family name Arie Mangasha Johannes (Surname) Guksa (Given names)

Highest rank or title Ras

Position Governor of Makalle District of Tigre Province.

Date appointed Recent Party affiliations 1. Tigrean. 2. King Tafari.

Birthplace Tigre. Date of birth 1890

Residence Makalle, Province of Tigre.

Education Ethiopian (Meaning church education only)

Reputation Fighter, Cruel. Personality Above average.

Influence Considerable with King Tafari.

Previous career Belongs to the royal family of Tigre. Enjoys much prestige of the King John with whom Menelek fought for supreme power in Ethiopia. Always suspected by Shoans but after long service at Shoan Court was given present appointment. Cousin of Ras Siyum who governs also a part of Tigre with residence at Adowa. Siyum is enemy of Shoan royal family. Guksa is married to Waizero Yeshash Work, niece of King Tafari, and granddaughter of the famous Ras Makonnen. Grandson of King John, mentioned above.

Attitude toward the United States Does not know the U.S.A.

Service in the United States ---

Attitude toward other nations Believed generally anti-foreign although Italians court him assiduously as they do all Tigrean rulers.

Personal intelligence: High.

Marriage Yeshash Work, niece of King Tafari and a Shoan.

Children Yes. Small ones.

Religion Ethiopian Church. Recreations Military.

Clubs ----

Lineage Royal family of Tigré, grandson of former Emperor John.

REMARKS (including any outstanding feature of record in international matters, significant utterances for or against the United States, and predilection, if any, for any particular country, etc. In case of a journalist, give particulars as to press represented, sources of information, official connections, if any, etc., and reputation for integrity, accuracy, and fairness. If more space is needed, use second sheet):

This man enjoys not only particular prestige as grandson of the famous Emperor John but from his sojourn of many years as a youngster at the Court of the Emperor Menelek. As a Tigrean he has a larger proportion of Semitic blood than the Shoans generally have.

GOVERNMENT PRINTING OFFICE 1—1191

Index Bureau
RECEIVED
SEP 11 1929
Dept. of State

DIVISION OF NEAR EASTERN AFFAIRS

June 13, 1929

DEPARTMENT OF STATE
SEP 11 1929

Memorandum of Conversation

Yesterday (June 12) Mr. Murray brought in Mr. King, a nephew of Senator King, who stated that he wished to secure information with regard to the shipment of arms to Ethiopia. Mr. King stated that his associates (later learned to be Mr. George T. Wise and Lieutenant Wade) had several months ago made an agreement with Doctor W. C. Martin, who was at that time in the United States, by which it was agreed to furnish the Ethiopian Government with a large order of arms and ammunition. Doctor Martin had deposited in a New York bank a large sum of money which was held in escrow pending the arrival of the arms in Addis Ababa. Mr. King's associates had encountered difficulties in arranging for the shipment of the arms to Ethiopia, and such a length of time had passed that they considered it wise to write to Doctor Martin to inquire whether the contract was still valid. In reply to the letter to Doctor Martin Mr. Wise had received a letter from Mr. Southard, our Minister at Addis Ababa, extracts of which Mr. King read to me. (The Department's copy of this letter is attached

INDEX BUREAU
884.113/33

FILED
SEP 13 1929

to this memorandum).

It was Mr. King's present purpose to ascertain whether there were any obstacles to making shipment of the order which the Ethiopian Government had transmitted through Mr. Southard.

After learning that certain of Mr. King's associates had called at the Department some time ago to learn of the conditions governing the shipment of arms into Ethiopia, I explained that there had been no material change in the situation and that there appeared to be no manner in which the Department could be of assistance. At the same time I added that certain other American firms were interested in the same proposition and that so far as I knew none had been successful in making shipment.

Mr. King went on to say that he and his associates had corresponded with the French Foreign Office seeking a permit for the entry of arms and ammunition to Ethiopia, but though several months had elapsed no reply had been received from the French authorities. Mr. Wise had also interviewed a member of the staff of the local French Embassy who had suggested that the matter be discussed with the Commercial Attaché of the Embassy in New York. It was Mr. King's intention to go to New York in the near future and seek an interview with the Commercial Attaché and, if it appeared desirable, he might go to Paris to take

up

up the matter at the French Foreign Office.

Mr. King then made some inquiries with regard to freight rates from Djibouti to Addis Ababa and transit duties across French Somaliland. After being told that it would take a short time to look up these matters he said that he would return on the next day.

Today (June 12) Mr. King called in company with Mr. George Wise. I furnished him with information with regard to transit duties and freight rates, and added that I could not refrain from discouraging his attempt to get arms through to Addis Ababa. He replied that there were now many arms in Ethiopia and that ammunition must be brought in in some manner, probably by the French; it was his feeling that he was as much entitled to this business as was a French merchant. With this last point I agreed with him, but pointed out that the arms and ammunition brought legitimately into Ethiopia at the present time were imported in small quantities. While it might be profitable for a merchant in Addis Ababa to bring in these small quantities it would hardly be a paying proposition for Mr. King and his associates. Mr. King agreed with this, and then inquired whether it would be feasible to land arms on the Arabian coast and convey them to Addis Ababa by aeroplane. This proposal I thought could hardly be considered seriously, but I replied that so far as we know no aeroplanes had ever

operated in that region, with the exception of military planes of the interested European Powers, and I added that it hardly seemed possible to make delivery of two tanks by aeroplanes.

As he was about to leave I inquired whether the associates had organized a company to handle the proposed business, and Mr. King replied that this had not yet been done, but that a company would be formed as soon as it became clear that the business was possible.

Mr. King plans to call on the French Commercial Attaché in New York within the next few days. I told him that we should be interested in hearing of the outcome of this interview, but that under present conditions he could hardly expect assistance from the Department.

PHA

DOCUMENT FILE

NOTE

SEE 811.24 Ordnance/180 FOR memo

FROM State Dept. (Caldwell) DATED Nov.9,1929
TO Near Eastern Affairs
NAME

1—1127

INDEX BUREAU
884.113/30

REGARDING:

Shipment of firearms to Ethiopia. Call at the Department of Mr.King,nephew of Senator King regarding the suggested,—

mc

PREPARING OFFICE
WILL INDICATE WHETHER
Collect
Charge Department
OR
Charge to
$

TELEGRAM SENT

Department of State

TO BE TRANSMITTED
CONFIDENTIAL CODE
NONCONFIDENTIAL CODE
PLAIN

Washington,

December ~~26~~ 30, 1929

1 pm

AMLEGATION

ADDIS ABABA (ETHIOPIA)

CONFIDENTIAL

46

Department informed that Mr. George Wise left Port Said December 9 for Ethiopia to sell arms. In view of the unfavorable reports received by the Department regarding Mr. Wise's activities both in the United States and in various countries abroad, it is suggested that you exercise ~~restraint~~ caution in any relations you may have with him.

S Stimson.

305
2

383.1121-Wise, George/10

NE WSM/LVD
KC/GC

884.1131/36a

Enciphered by ---

Sent by operator ---M., ---, 19---, ---

Index Bu.—No. 50.

GOVERNMENT PRINTING OFFICE 1—138

DOCUMENT FILE

NOTE

INDEX BUREAU
884.00/174
3/37

SEE 884.00/174 FOR # 309

FROM Abyssinia (Southard) DATED Dec.21, 1929.
TO NAME

1—1127

REGARDING:

the revolt in northern Ethiopia and the rumors that the rebel forces are well supplied with modern arms and ammunition of Italian manufactures probably having secured them from Italian gun runners in the Red Sea.

mb

Addis Ababa,
Ethiopia.

December 21st, 1929.

~~CONFIDENTIAL~~

No. 509.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's No. 506 of December 14th, 1929, and to earlier despatches, reporting in connection with the small rebellion in northern Ethiopia.

Many wild rumors are reaching Addis Ababa of which the most persistent is that Ras Gukssa Woli and Ras Gukssa Arie have now joined the rebellion. The Department's Form of Confidential Biographic Data on Gukssa Woli was submitted on March 23rd, 1929, and on Gukssa Arie under date of July 11th, 1929. The two men are not closely related at least.

It

It is impossible to confirm these rumors but both my French and German colleagues when questioned say that they have supporting information from sources believed reliable. Because of the mourning in connection with the death of the Dedjazmatch Welde Selassie, reported in the Legation's No. 303 of December 20th, 1929, I have been unable to reach certain highly placed Ethiopians who on occasion assist me in establishing the probable degree of accuracy of such rumors. There are no proper newspapers or other forms of current publicity in Ethiopia and for real information one must depend upon his particular private contacts.

Ras Guksa Woli has long been a thorn in the side of the Tafari party. He is husband of the Empress, but separated from her for political reasons. His transfer from the important governorship of Gondar, and reasons leading thereto, were all reported in the Legation's No. 255 of September 3rd, 1929. The consent of the Empress to this transfer of Guksa to a lesser position was undoubtedly obtained at the time, but she has since brooded over the matter and is said now to feel much aggrieved at Tafari. Guksa has heard of this situation and is alleged to have seized the opportunity offered by the rebellion in the north to attempt to regain his lost prestige and at the same time to revenge himself upon Tafari. He is not an able man but he does have prestige among the older Ethiopians.

Ras

Ras Guksa Arie has long been counted a Tafari man. However, friction has lately arisen over his mistreatment of his wife who is a niece of King Tafari. This Guksa is also very ambitious and not noted for his loyalty. It is surmised that he has been influenced by the other Guksa to sympathize with the rebellion.

Neither chieftain is yet proved to have committed any definitely overt act, but both are said to be secretly encouraging the rebels and to be ready actively to join if and when said joining may appear to be safe and as likely to gain their ends.

Ras Guksa Woli is opposed to the Tsana Dam enterprise and that is thought to be at least one of the minor reasons which spurred King Tafari to the transfer of this governor from Gondar, as reported in the Legation's No. 255.

Whatever may be the facts there are reasons which give substance to the rumors of the alignment of these two chieftains with the rebels. Should they actually and actively join forces King Tafari will have on his hands a serious rebellion which may throw the country back many years. In this connection it would again seem appropriate to refer to the policy of Britain, France and Italy in keeping King Tafari from importing sufficient arms and ammunition properly to police his Empire. The rebels know of the King's lack of sufficient and appropriate military equipment and are

thereby

thereby emboldened. Tafari's difficulties are enormous under the circumstances. He can control and rule the Empire if given half a chance, but he must be permitted to build up and adequately equip at least a military police. One finds it difficult here to avoid the impression that the three European powers named are quite agreeable to troubled conditions in Ethiopia from which they may realize their own particular ambitions.

The rebels in the north are persistently rumored to have complete equipment of Italian guns and ammunition. My French colleague has told me this in positive terms, but as the French and Italians here appear at least occasionally to circulate more or less malicious rumors about each other my information from the source indicated may be somewhat colored. My German colleague now claims to have been positively informed by the German pilot of the recently wrecked Junkers airplane (see the Legation's No. 308 of December 20th, 1929) that during the latter's sojourn in Dessie he saw the Italian equipment of the rebels, and that they even have many machine guns placed on mountain elevations to shoot at the airplanes sent to reconnoitre. If it is true that the rebels have Italian equipment there are two possible explanations. One, and perhaps the least probable, is that the Italians have supplied them from Eritrea. A second and more probable explanation is that Italian gun-runners working in from the Red Sea coast just north

of

of Assab have provided the materials. At any rate there is little doubt that the rebels have arms and ammunition which they could not possibly have obtained from legal or legitimate Ethiopian sources.

The above comment has been sifted from a maze of rumor and allegation. There is as yet little well confirmed information. However, this report is made in the conviction that there exists a definitely troubled situation which may lead to serious disturbances in the country. The situation is in general deplorable, but has also a special significance from American viewpoint. We have, after long, persistent and tedious effort, worked up to within sight of a probably successful ending of the negotiations for the Lake Tsana-Blue Nile dam and these possible disturbances will, of course, give us a material setback. Such an unforeseen obstacle may not, of course, eventuate but this comment is provided to give the Department all available background on which to view possible future developments reported perhaps at first in the briefer form of telegraphic despatches.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

File 800.
AES/sid.

AM RECD
DEC 7 33

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa,
Ethiopia, October 30th, 1928.

FOR DISTRIBUTION - CHECK Yes No
To the ...
In U. ...

DEPARTMENT OF STATE
DEC 3 1928
DIVISION OF
NEAR EASTERN AFFAIRS

INDEX BUREAU
884.1151

FILED
DEC 13 1928

No. 88.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to report that during the current year there appears to have developed in Addis Ababa a wave of reform which, if continued, will have most important effect on the economic and social life of the country.

This office has collected a number of printed notices, decrees, and the like, which are more tangible evidence of this reform movement. The more typical of such notices, etc., are being translated and will be

forwarded

forwarded from time to time as indicative of the change which is believed definite and certain.

The first movement has been against the widespread development of bawdy-houses in which the average Ethiopian finds his principal and frequently only diversion. It might reasonably be argued that Ethiopia could as easily eliminate its bawdy-houses as could the zebra change his stripes. Yet there is developing a considerable sentiment against them. The attached letter from a public spirited citizen to the government newspaper has been translated and is enclosed herewith as representative of what promises to be a really active movement in the premises.

An open letter such as this in the average American or European country would have perhaps little significance. In Ethiopia it assumes great importance where perhaps not one subject in a million has ever had adverse, or even, active thoughts concerning an institution which he has regarded as of the same inevitability as, for instance, the coming of night or day.

There has not as yet occurred any formal organization for combatting this and other social evils but such may now be expected at any time to develop as there are many potential workers or members.

The main motive back of this and other incipient reform movements cannot well be credited to foreign missionaries as very few are permitted to work in the country. The influence of these few is unimportant.

The

The motive comes rather from the intense national pride of the Ethiopians who are travelling in greater numbers to and from Europe and have there been innoculated with the virus of reform and the intense desire to place Ethiopia on a basis of social equality with the leading countries they have visited.

Observers say that there is more of the indicated social irregularity among the Christians than among the subject Moslem and pagan peoples of Ethiopia. Some credence is given to this observation by the mention in the attached translated letter of the activity of "Abba Djifar" in forbidding public houses in the territories controlled by him. This man is a Moslem kinglet of the great province of Jimma in Southern Ethiopia. He is the only important non-Christain provincial ruler in all Ethiopia.

Along the general line of social and economic reform to which reference is made in the opening paragraph of this despatch there have also just been published two governmental decrees denying inheritance rights to illegitimate children and abolishing the practice of confiscating private property which has always been one of the most zealously guarded prerogatives of Ethiopian rulers. As soon as these decrees shall have been translated they will be forwarded with such brief comment as may seem appropriate.

I

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

1 Enclosure.

TRANSLATION

Of an Article Which Appeared on July 19th, 1928, in the BERHANENA SELAM (Light and Peace), Published Occasionally in Addis Ababa as a Small News Sheet From the Government Press.

--oOo--

DELIGHTFUL NEWS.

Delightful news pleases the soul. I wish to share it, therefore, with the readers of BERHANENA SELAM.

We were very sorry that the work of city cleanliness, which constitutes one of the first necessities, had so long remained backwards.

But now the Municipality has taken up the matter and has appointed as directors of such department Ato Tegeghe Haylu and one European. It has also granted the provisional sum of MT$5,000 for the construction of public water closets, along the streets and in other necessary places. We congratulate the Municipality on this excellent project, wishing meanwhile that Almighty God will enable them to realize it.

Nevertheless it will be difficult to clean the city without separating the public houses. In the older times the quarter of public houses and prostitutes was separate. During the Regency of Ras Bituaded Tessama there was discussion to separate them, but it is said that they remained in the city through the intervention of the numerous friends of the women who did not like the

idea

idea of being far from them.

But at the present we are living in a shameless period. The rich build houses along the streets and hire them out for the above purposes. Meanwhile their servants waste their money and sell even the cartridges in their belts. They get drunk and remain out the night, thus losing their rest.

These great and rich persons while satisfied with the monthly rent receipts are deceived in not realizing their losses. His Excellency, Abba Djifar, has forbidden public houses in his territories, declaring that such are the gathering places of highway robbers. We have also heard it said that His Excellency, the Dedjazmatch Iggezu, has prohibited them in Wollamo.

Nevertheless we must have in the capital more freedom than would result from prohibiting them completely. It would be preferable to construct special buildings and fences in the outskirts of the city, appointing there special clerks, judges, and guards who would make possible the finding of exact figures of the daily receipts and other interesting data.

Seeking for the indulgence of the youths and of the house operators, since I really write for their benefit and not for their detriment, I beg to remain, a friend of

BERHANENA SELAM.

Mahattem Work Isheté.

DOCUMENT FILE

NOTE

New 3

SEE ~~884.6461 Tsana Dam/92~~ FOR ~~Tel # 18~~

FROM ~~Abyssinia~~ (~~Southard~~) DATED ~~June 21, 1929.~~
TO NAME

REGARDING: Negotiations which will be undertaken with the British Government regarding water contract to be participated in by a representative of the White Company, the White Company having concluded an agreement with the Ethiopian Government for the construction of the Tsana Dam.

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INDEX BUREAU
884.151/1

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settlement on the African Red Sea coast. From it grew the present colony of Eritrea of which Massowah is the principal port and Asmara the capital. The southern part of Eritrea, in which Assab is located, is mainly extensive and unproductive desert. For great distances on all land sides of Assab there is nothing but desert. The place was originally selected in 1869 to provide Italian sea trade with a possible station on the routes to East Africa and the Orient established with the opening of the Suez Canal. It was the property of a private Italian trading company until 1882 when it was ceded to the government.

Little Progress Made.

Assab has a comparatively small and difficult harbor. The hinterland is more or less naked desert. Population is quite sparse. The climate sizzles with heat. These factors, with others, have to date retarded any important development. The seat of Italian Red Sea operations was transferred to the comparatively quite superior site of Massowah, north of Assab about 48 hours by steamer. Massowah is the seat of a considerable trade activity. Italian enterprise and perseverance have made of Eritrea a model colony. But even the talented and exceptionally efficient Italian efforts in this area have failed to accomplish much at Assab in the forty five years since it came under official control. Handicaps imposed by nature have apparently been too great. Today Assab has a population which probably does not reach 2,000. It has been an officially arbitrary port of call for the smaller and more medium sized Italian steamers trading in the Red Sea and to

the

the East. There is some dhow trade from up and down the African coast and from the opposite shores of Arabia. The principal institution in Assab has been a prison to which native convicts from Eritrea and other Italian African colonies are sent. There is a wireless station. No important harbor works have been constructed. Until much money is spent for that purpose it will be a difficult port of call for steamers of any size. The entrance to the small harbor is narrow and steamers in going in or out sometimes pile up on the reefs.

Base for Italian Trade With Yemen.

In recent years interest in Assab has been resuscitated by the establishing of what amounts to an Italian sphere of at least economic influence in the Arabian province of Yemen. The nearest point of this richest of Arabian provinces is only about forty miles distant across the Red Sea from Assab. The possibilities to which this trade may be developed have not yet been fully proved. It is thought, however, that most of the Arab trading dhows will probably continue to go on up the coast to Massowah which has much superior harbor and port facilities for exports to Europe. Assab has other handicaps not easily surmounted.

Ethiopian Trade Via Assab.

Of probably far more importance to Assab has been the possibility of connecting it up with the very rich Wollo Galla country of Ethiopia. But between Assab and this productive part of the Ethiopian hinterland the distance is estimated at nearly three hundred miles of barren desert. Since the actual founding of Assab there has been some caravan trade between it

and

and Ethiopia. But the distance is great, and the desert tribes have not favored traffic through their country without a quid pro quo which has left in the red ink column the balance of many a trading venture. Some traders allege that the route is in other respects quite unsafe.

A Road Now to Be Built?

A railway or highway from Assab into Ethiopia has been the ambition of many Italian governors of Eritrea. The convention signed on August 2nd, 1928, at Addis Ababa, is the first really definite step in possible realization of such ambition. It provides for an Ethiopian free zone at Assab, with corridor to the frontier. Those with a knowledge of this immediate area say that a motor road is quite as feasible, from Assab to the Ethiopian highlands at least, as is the motor road now in operation between Syria and Bagdad. Others equally well informed hold contrary opinions. The convention is stated to provide specifically for a concession to build such a motor road from Assab to Dessie. From Dessie directly south to Addis Ababa either a motor road or a railway may be built. Dessie is an important Ethiopian trading center and lies more than a hundred miles north of Addis Ababa - two weeks at present by mule caravan. It is the main town of one of the Moslem areas subject to the Ethiopian government. The soil is unusually productive and is peopled by industrious peasant farmers and herdsmen. If a road can be built to connect it with the port of Assab the trade possibilities should be enormous. The productive capacity of the province, particularly in hides, skins and related commodities, will be stimulated to a degree which might conceivably more than

double

double present Ethiopian exports. By similar reasoning Ethiopian imports of foreign manufactured goods could be equally amplified.

Benefit Will be Mainly Italian?

In the event of such developments the benefit is expected to be mainly Italian. The construction of the proposed road will, practically, be an Italian monopoly according to the reported terms of the convention. The motor transport company to be organized will, on the same basis, use exclusively Italian vehicles. The local trading community is pondering whether or not some way will be found to establish preferential treatment for Italian commerce on a basis related to the system of preferential duties for Italian commerce which has heretofore ruled in Eritrea. The proposed Ethiopian free zone would normally insure "open door" practices, but the suppliers to Ethiopian trade do not at this time appear to feel at all sanguine in the premises. (See confidential section of this report.)

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NOT TO BE PUBLISHED AS OFFICIAL INFORMATION

Breaking the Djibouti Monopoly.

In other words the proposed new trade route may prove to be of little more than academic interest to trading nations other than Italy - and France. The latter country has heretofore held a practical monopoly of Ethiopian trade transport by its Franco-Ethiopian railway which runs inland from the port of Djibouti, French Somaliland, five hundred miles to Addis Ababa. Approximately 73% of the total trade of Ethiopia, import as well as export, passes over the Franco-Ethiopian road which is the only railway in Ethiopian territory and

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FOR GUARDED DISSEMINATION ONLY

the only one serving Ethiopian trade. The freight charges on this railway are considered by traders as exceptionally high. There are said to be many vexatious delays in handling shipments over it via Djibouti. Local business men opine that with reasonable freight rates, and the installation of an operating system to eliminate the delays and other difficulties now complained of, the Franco-Ethiopian route would not only continue to monopolize Ethiopian trade but could very quickly stimulate an increase to double or more. This, of course, is all a matter of opinion but it represents the majority view of the business men of various nationalities engaged in Ethiopian trade.

Little Effect on Other Routes.

Perhaps an average of 16% (20% import and 12% export) of the total Ethiopian trade is at the present time handled via Eritrea and its port of Massowah. Less than 10% of the total is handled via the Sudan. There are two main rqutes to and from the Sudan. One is via the Sobat and White Nile rivers - navigable to the Goré-Gambela station during the summer only. The other is via Gallabat in the north to and from Khartoum. Minor trade routes are via Moyale into East Africa; via British Somaliland; and via Italian Somaliland. Unless otherwise indicated all mentioned trade routes to and from Ethiopia are by caravan. There are no entirely accurate statistics for trade over any of these routes. In some places no statistics are kept. In other places there are imperfections in method or system which affect the accuracy of the results.

Estimated

Estimated Trade Statistics.

Trade statistics and national percentages must, therefore, be largely estimated. With the use of the actual and estimated figures available, and after close study over some years, the following approximate percentages of the division of Ethiopian trade have been arrived at:

Route via:	% of Import Total.	% of Export Total.
British East Africa	.01	.02
Italian Somaliland	.01	.02
British Somaliland	.02	.03
Sudan	.03	.08
Eritrea	.20	.12
French Somaliland	.73	.73

The total estimated trade of Ethiopia for the calendar year 1927 amounted to 10,330,000 American dollars. This was about evenly divided between export and import. The leading import items were unbleached cotton sheeting with a value of $2,082,362; other cottons with a value of $1,378,274; and miscellaneous items making up the balance. In the export trade the leading items were hides and goatskins with an estimated value of $1,887,883, and coffee estimated at $1,532,481.

Conclusion.

A proposed new Italian trade route into Ethiopia from Assab has been officially arranged. As the agreement includes a free zone at Assab for the Ethiopians it may be assumed that, should the road be constructed, they will favor that route over all others. Will the arrangement and administration be such that any resulting benefit is likely to be exclusively Italian in so far as concerns the foreign countries now trading with Ethiopia? The main and only modern trade route at present

into

into Ethiopia is the Franco-Ethiopian railway from Djibouti. The effect of the proposed new route on it is important. This railway does not at present appear to function as efficiently as might be. Traders in Ethiopia are now asking themselves whether the proposed new route will stimulate efficiency on the present French railway or whether it will discourage further efforts and cause the service to become even less efficient. Naturally they are much concerned. Should the new route be constructed from Assab to Dessie will it draw internal trade away from the Addis Ababa district where all important trading interests of the country are now centered? Is the proposed route economically feasible? That is, would the resulting business justify the heavy expenditures indispensable to putting both harbor and road into condition to meet the requirements of overseas import and export trade? These are the main points in the present consideration of the proposed new route in so far, at least, as the economic side is concerned.

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See the following printed pamphlets sold by the Superintendent of Documents, Washington, D. C.:

Special Consular Report No. 81, Abyssinia, published in the year 1918.

Special Consular Report No. 82, Eritrea, published in the year 1920.

-----ooOoo-----

Five Copies to Department.
One Copy to Embassy, Rome.

~~CONFIDENTIAL~~ SECTION OF REPORT.

The foregoing comment is put down in the light of several years firsthand experience of the writer with Ethiopian and Red Sea politics and trade. The description and estimation of Assab is based upon three actual visits made to that port and its environs, of which the last was at the end of the year 1919. Some photographs of the port taken at that time are now in possession of the National Geographic Society, Washington, D. C., should any one be interested in such.

Political Aspects.

The negotiation of this Italo-Ethiopian convention has also important political aspects, some of which are discussed in various despatches recently submitted by the writer from Addis Ababa. The last such despatches were Diplomatic Nos. 55 and 56, both dated August 6th, 1928. The actual treaty of friendship has already been transmitted to the Department. The convention has just today been obtained and will be forwarded when translation from the Amharic is completed. There are reasons for believing that the entire matter is a political gesture on the part of Italy, as already discussed in various confidential despatches. Among other questions to be resolved is the one of whether Italy's negotiation of this convention does not violate the letter or spirit, or both, of obligations to France and Britain entered into by the famous 1906 Agreement of the three powers. If so, will Ethiopia recompense Britain and France? Will Britain's share, or balm, be the Tsana Dam Concession?

Will

Will Italians Monopolize Trade Benefit?

Continuing the reference on page 5 of this report there may be stated that much reasonable doubt exists whether the proposed road will ever be built. It will, presumably, cost much money. Also the harbor at Assab is inadequate to the efficient handling of any considerable amount of business. To adapt it to the movement of commerce which might be expected to develop would, it is alleged, cost disproportionately large sums of money. The practical development of the new trade route is, therefore, still in a conjectural state. There are those, of course, who believe that the new Italian foreign policy will drive through the construction of the road and harbor without regard for its cost or possible economic return or benefit. It's political value to Italy's much sought for Red Sea hegemony may be the dominating consideration. The resulting trade benefit could, of course, be monopolized for Italians. The present trade route from Massowah overland to Ethiopia has given preferential treatment to Italian commerce. The provision of an Ethiopian free zone at Assab, as alleged in the convention, might be considered an insurmountable handicap to preferential treatment for Italian trade. There are doubtless ways around this apparent handicap.

First, it is not expected that the Ethiopians will ever appropriately equip their reputed free zone to handle import and export shipments. They are alleged customarily to be procrastinating and impractical in such matters. Observers suspect that their primary object in accepting the Italian offer of a free zone is an idea (which will doubtless prove to be

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a mistaken one) that they may thus be free to import arms and ammunition now restricted. The bare beach will provide sufficient facility for that.

Second, there is to date no evidence deducible from previous Italian activities in the Red Sea that "open door" practices may be expected in any territory controlled by them. It may, therefore, be anticipated that the regulation of the prospective new trading base and route will naturally, by some means or other, be such as to insure Italian preference in the sea transportation and customs treatment of imports as well as exports via Assab.

Economic Aspects as Affecting American Trade.

The effect on American trade could be important. Probably it doesn't make much difference to American traders whether their products go through Assab or Djibouti, excepting that at Djibouti there is no preferential treatment of French products whereas at Assab there likely would be for Italian products if present Eritrean practices should be continued. The most important American interest in Ethiopian trade concerns the sale of automotive vehicles and equipment. The market is yet in its infancy because of the absence of provincial roads and highways. But such proportions as the trade has already assumed are entirely in American favor. The Italo-Ethiopian convention is said to provide absolutely that if and when the new highway is constructed the motor transport company organized shall employ all Italian equipment. Conceivably scores of cars and trucks will be put into operation. The effect upon the sale of American

trucks

trucks and cars in Ethiopia is obvious. Not only would the actual equipping of the road be closed to American business but the psychological effect upon other potential buyers would be unfavorable. There would be no way of avoiding such unless American manufacturers considered advisable an immediate and intensive campaign in this market. Such campaign would perhaps involve participation, direct or indirect, in road construction over other routes for which the Ethiopian government would doubtless give concessions. Whether such would be worth while is, of course, open to debate. It does seem, however, that American trade cannot expect to obtain an adequate local share unless something is done to match the aggressiveness of the Italians which is only a forerunner of what France, Britain, and Germany are alleged to be planning. The opening of an American Legation and Consulate General here has greatly stimulated other national activity in Ethiopia. Such stimulation conceivably was one of the aims of the Ethiopian government in pressing for many years the American government to establish representation in Addis Ababa. Such representation can accomplish little, however, without the tangible backing of the sort now being given to other national Legations here by the investing and business interests of their respective countries.

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Five Copies to Department.
One Copy to Embassy, Rome.

EMBASSY OF THE
UNITED STATES OF AMERICA

ROME, November 2, 1928.

No. 1971.

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NOV 16 1928 DIVISION OF WESTERN EUROPEAN AFFAIRS

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The Honorable

The Secretary of State,

Washington.

Sir:

Referring to the Ambassador's despatch No. 1938 of October 12, 1928, regarding Italian interests in Abyssinia, I have the honor to report that the GIORNALE D'ITALIA in a recent article announces that the preliminary preparations for the organization of the free zone for Abyssinia at the Italian port of Assab and for the building of the road from Assab to Addis Ababa have already been started. The writer of the article, however, warns against excessive optimism in this connection, especially with regard to the construction of the road. If an artificial foundation for the road is

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found to be necessary, he says, the cost will amount to over twenty millions of lire; on the other hand, if it is ascertained that the natural foundation is sufficient the cost would not exceed f i v e millions. The newspaper also points out that since the Abyssinian frontier is 2,000 meters above sea level and must be reached by a winding route, many engineering structures will probably be necessary and their completion in such a desert-like country will be a most arduous task. The GIORNALE D'ITALIA adds that doubt has been expressed in certain quarters as to whether this automobile road will be a sound economic proposition. In answer to this objection, statistics of the Addis Ababa-Djibouti railroad are cited to prove that the volume of traffic - both passenger and freight - as well as the profits of this line have continued to increase from the beginning. Although the French railroad crosses more or less fertile regions - which will not be the case with regard to the motor road - the GIORNALE D'ITALIA nevertheless regards its future with confidence.

Reports from Addis Ababa state that the Duke of the Abruzzi during a recent ceremony bestowed upon Negus Taffari the Collar of the Annunziata, which is the highest Italian decoration, and was decorated in return by the Negus with the Order of Solomon.

884.001-
Taffari

I have the honor to be, Sir,

Your obedient servant,

Harold H. Tittmann

Harold H. Tittmann,
Chargé d'Affaires ad interim.

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February 19, 1929.

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DEPARTMENT OF STATE
FEB 20 1929
ASSISTANT SECRETARY OF STATE

884.154/3

DESCRIPTION OF ASSAB-DESSIE TRADE ROUTE.

Minister and Consul General. .....
(Addison E. Southard)

Addis Ababa, Ethiopia. Date Completed: Dec. 17, 1928.

Date Mailed: Dec. 19, 1928.

MAR 3 1929

---oOo---

Reference is made to a report from this office entitled "A Proposed New Ethiopian Trade Route," mailed under date of August ~~23rd~~ 18, 1928.

There is attached herewith translation of an account recently published in THE ECONOMIC REVIEW of the Italian Colony of Eritrea which describes the topography and other features of the present caravan route from the port of Assab to Dessie in Ethiopia. This account gives a fairly accurate idea of the

nature

nature of the country crossed. It smooths over some of the more unfavorable aspects as is natural with an account of Italian origin. In other respects the account is fairly accurate. No mention is, of course, made of the hostility of the desert tribes.

So far as can be learned in Addis Ababa no really tangible steps have yet been taken towards construction of the trade route in from Assab to Dessie, as proposed by the Italo-Ethiopian Treaty and Convention signed here on August 2nd, 1928. Gossip is to the effect that an energetic effort is being made to develop the interest of Italian capital on the basis of the probable existence of oil and other minerals along the route concerned. For a great number of years oil has been rumored to exist in the Dankali desert through which this trade route passes. There does not appear to be any definite information.

It is the understanding of this office that the Anglo-American Oil Company expedition which worked in Ethiopia during the winter of 1920-21 did not consider the Dankali desert territory as sufficiently promising to warrant an expedition there to prospect for oil. The work of this expedition was practically all done on the eastern

or

or Harrar side of the Franco-Ethiopian Railway. Efforts were made to interest the Anglo-American geologist in penetrating the Dankali desert on the western side of the railway in the general direction of crossing the present Assab-Dessie caravan route. He did not go any appreciable distance.

Italian travellers and explorers knowx the desolate and desiccated area between Assab and Dessie better perhaps than any one else and the possibility always exists that they have definite information as to the mineral yielding possibilities of that territory. However, should such definite information exist it is kept strictly confidential by the Italian interests concerned.

In summary it is regretted that no more definite report can be made at this time concerning progress of the Assab-Dessie project. It may be said that there appears no more definite indication that the road will actually be built than existed at the time of the preparation of the original report which this contribution supplements.

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Enclosure to Report of Addison E. Southard, American Minister and Consul General at Addis Ababa, Ethiopia, dated December 17th, 1928, on the subject of the Assab-Dessie Trade Route.

Translation.

THE CARAVAN ROAD FROM ASSAB TO DESSIE.

According to an account published in THE ECONOMIC REVIEW OF ERITREA.

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I.

Caravans from Assab to Dessie now follow a general southwesterly direction in the Dankali plain, which extends in its largest width from Assab to the Gulf of Tadjourah. The plain extends to the northern bank of the Hawash River. It strikes the rugged heights which break off from the group that extends to the East between the valleys of Mille and Gouallroua. These mountains here turn southeast and slope off 60 kilometers further towards the swamps and the lakes of the Hawash.

The caravans leaving the Hawash from South to West cross this plain. They gradually ascend the eastern plateaux of Wollo crossing the torrential tributaries of the river. They join the plain of Ghedi at the foot of the range of mountains. These mountains run East and West, between the valleys of the Mille and Borkena. The route follows this course. It finally changes its direction eastward, climbing shoulder after shoulder up to Batie. Farther along, the route crosses the mountain through the pass of Dereck Waria, and descends to Dessie on the Borkena River.

The first part of the caravan road, from Assab to a place called Tendao on the Hawash, is about 325 kilometers long, across the Dankali plain.

Tendao is 430 meters high. The highest known point between Assab and Tendao is Manda (610 meters), about 120 kilometers from Assab.

The peculiar characteristic of the conformation of the Dankali plain is a succession of generally argillaceous terraces with volcanic mixtures, which must have accompanied the formation of the great depression of the Red Sea and the upheaval of the highlands of Ethiopia and of Arabia.

These

These terraces are separated by rocky walls more or less undulated, often obstructed with loose stones which make the ascent difficult.

Camel transport is essential over the Assab-Hawash-Batie route owing to the lack of water and of sufficient grazing for mules. It is also too long a distance for mules, as it requires 20 to 25 days, with but few stopping places, and at these the pauses must be short. Resting places are naturally near wells.

The wells are (1) at Ghibdo, on the upper course of the Arsile torrent, which forms 27 kilometers south of Assab the oases of Marghebla; (2) at Hela in Italian territory 58 kilometers from Assab; (3) at Erodoud in Ethiopian territory 130 kilometers from Assab; (4) at Alga 160 kilometers from Assab; (5) at Garraito 190 kilometers from Assab; (6) at Dobi 250 kilometers from Assab.

The route continues via the plain of Sardo, between the valley of Dobi and the Hawash. It leaves the Aussa in a southeastern direction. For this reason the caravans branch off from Cousrat in the valley of the Dobi in order to join the road, above described, by Oudwaito, at the northeastern angle of the Hawash, where the river takes the southeastern direction towards Aussa.

II.

The second part of the caravan road from Tendao to the torrent of the Badani-Foura, to the western limit of the Ghedi plain, and to the foot of the ascent of Batie is about 80 kilometers long. The altitude varies from 430 meters at Tendao to 700 meters at the torrent of Badani-Foura.

The journey is made in five stages. Running water is found in the Mille River and wells at or near other torrents that are crossed.

III.

The third part of the route crosses the Ghedi plain at Batie to reach Dessie, a distance of about 115 kilometers entirely in the mountains, passing from the altitude of 700 meters at Badani-Foura to that of 1670 meters at Batie. This part, about 50 kilometers long, is done in three stages.

At Batie the greatest part of caravans leave the camels to take mules. This last journey of almost 64 kilometers has been recently improved by the Governor of Wollo and the distance may be travelled over easily in two or three stages although the ascents are rather steep in certain places.

Dessie

Dessie has an altitude of 2500 meters. The distance between Assab and Dessie is about 520 kilometers. The time usually required to cover this distance (camel caravans only) is from 45 to 50 days, including stops for rest.

The route is crossed by the trail from Beiloul to Aussa, in the valley of Dobi. Although the track that goes from the Beiloul valley to Aussa is little frequented at present, it may be rejoined to Ghibdo or at Hela in order to proceed to Assab without lengthening the journey by more than two days. The latter section is hilly and difficult, but travellers have the option of taking the advantage of its grazing grounds and water. It is resorted to in times of prolonged drought.

The track that leads from the Dobi valley to the Hawash continues eastward to about 25 kilometers from Coursat. A new track passes near the Gargori Lake and the Ghifou Hill to reach Tadjourah, by a shorter road than that leading to Assab.

The difficult Batie ascent may also be avoided by a deviation to the right of the Batie road from Mille. This road describes a great curve tending towards the Hawash and turning to the Borkena River on the territory of Dawe Erikie. It thus avoids the onerous Batie roads. The ascent thus becomes gentler rejoining the pass of Dereck Waria on the Borkena side, via Combelchia.

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2 cartes ci-jointes

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

2/6/29

Suggested comment on despatch No. 2077 of Jan. 9, 1929 from Embassy at Rome

Read with interest.

The accompanying map is of especial interest, and is the only one available in the Department that furnishes a clear idea of the route of the proposed road between Assab and Dessié.

WRHA/-

EMBASSY OF THE
UNITED STATES OF AMERICA

ROME, January 9, 1929.

No. 2077.

CONFIDENTIAL

FOR DISTRIBUTION - CUTLER

To Distribution

The Honorable

The Secretary of State,

Washington.

Sir:

Referring to Mr. Tittmann's despatch No. 1971 of November 2nd and to the Department's Informal Comments for the period November 15 - December 15, 1928, with regard to the building of an Italian motor road between central Abyssinia and the Eritrean port of Assab, I have the honor to transmit herewith a copy of an itinerary map recently released by the Ministry of Colonies which traces the approximate course of this road as planned from Assab to Dessié. In conversation with a member of the Embassy's staff Signor Astuto, Director General of Political Affairs at the Ministry of Colonies, stated that according to the original proposal, Italy was to have built the road from Assab to the Abyssinian

frontier

frontier and that Abyssinia was to have continued it from the frontier to Dessié. Arrangements were now being made, however, whereby the construction of the entire road would be assigned to the Italians, the Abyssinians paying for their stretch or for about four-fifths of the entire road. Signor Astuto, while admitting that the economic possibilities of the country tapped by the road were as yet unknown, seemed to be of the opinion that the fact that the road was there would in itself create enough traffic eventually to make the enterprise profitable. He seemed to be much impressed by the recent increase in the traffic of the Addis Abeba - Djibouti Railroad and said that he believed that this railroad was now actually making money. In conclusion Signor Astuto stated that the road had not yet been surveyed - in fact, only a handful of white men had ever been over the itinerary which necessitated travel by camel and mule; that the itinerary as shown on the enclosed map was by no means final; and that he did not believe the project would interest American road construction companies, since the building of a hard surfaced, modern road was not contemplated in the plans.

In the opinion of Colonel Nation, the British Military Attaché in Rome, who has just returned from an extended tour in Abyssinia, whether or not the road is to be constructed at all depends upon the economic possibilities, as yet unknown, of northern Abyssinia, since the road would draw the greater part of its traffic from this region. For the purpose of ascertaining the resources of northern Abyssinia, an expedition of Italian engineers headed by Baron Franchetti started

out

out the first days of last December and, according to Colonel Nation, it was therefore logical to suppose that no serious work would be started on the project until Baron Franchetti's findings were submitted to the authorities. Colonel Nation added that while Negus Taffari seems to be an enthusiastic supporter of the project, the Empress, who is still presumably under French influence, has not yet been persuaded to give her consent to the road's construction.

A recent article in the CORRIERE DELLA SERA denies that the motor road and the Free Zone at Assab would compete seriously with the French railroad and the Port of Djibouti, because the former would serve principally a region of northern Abyssinia that is at the present time paralyzed on account of the lack of communications. In other words, with Djibouti and Assab, Ethiopia would breathe with two lungs instead of with one as she is doing at present. The projected route has been used so far by caravans only and a thorough knowledge of the terrain is indispensable before the type of engineering works that will be necessary in its construction can be decided upon. The CORRIERE DELLA SERA estimates the cost at from 12 to 15 millions of lire, but adds that Ethiopia is making such strides economically that there is no doubt that "whoever furthers this economic development will be the first to benefit from it".

The Italian press is careful not to express undue optimism and the writers on the subject do not hesitate to admit that the "if" looms large. In the enclosed article, for instance, in LA TRIBUNA of December 30th, General Pantano, who

is

is familiar with conditions in East Africa, states that it is certain that there would be enough traffic for the road, but in the next breath he gives warning that the cost of upkeep would make heavy inroads upon the financial returns. "From an economic point of view," he concludes, "the undertaking offers great possibilities, but only if well managed."

I have the honor to be, Sir,

Your obedient servant,

Alexander Kirk

Alexander Kirk,
Chargé d'Affaires ad interim.

K.H.C.
Kw
Be Touched
for motion IP.
1 copy

Enclosures:
Map;
Article from LA TRIBUNA (copy and translation).

Copy to E.I.C., Paris, and
to Addis Abeba.

American Embassy

884.154/4

Desp. No. 2077, Rome, Jan. 9, 1929.

Map showing route of proposed Motor Road between Assab (Eritrea) and Dessie (Abyssinia)

MINISTERO DELLE COLONIE
Servizio Cartografico

40° E. Gr.

41°

13°

(1) Questa strada, sempre adatta al passaggio degli automezzi, prosegue verso il N. dove, a 4 km. dal pozzo di Bedin, si unisce con la via di Corbettà; quindi va al pozzo Gabala, segue il T. Sasso fino alla confluenza del T. Kohol (Erebti) rimonta il T. Assadahara, affluente di sinistra dell' Erebti, volta ad E. discendendo lungo il T. Garbena, quindi di nuovo si dirige al N. al Pian del Sale. Passa al pozzo Arsuma e giunge al pozzo Anfeltàle, dove si biforca; il ramo di sinistra (O.) per i pozzi di Garibbo e di Uaideddo va ai pozzi di Alaila, quello di destra (E.), passando ai piedi della catena vulcanica dell'Artale e del l' Uertale, passa ad occidente del lago Aba-Ebat, traversa le saline degli Enderta, lascia ad oriente il M. Assale e poco a N. di questa altura si biforca; un ramo per Onale, Alloile, Beheita, Abataio va a Meder e Thiò sul mar Rosso, l'altro, seguitando a N. per le miniere di Dallol, conduce a Mersa Fatma nella baia di Hauachil.

Mareglie
Dogana
Gabalo
(1)
Enghi Ela
Passo di Alagi
Alzalà
C.le Chiesa di Debarò
Meescà
Talata
Corbetta
Uolaga
Pozzo
Pozzo
Assabara
Pista percorribile con autovetture
CALLA
Mai Hejo
Amorta
Nohno
Sein Ela?
Jallo?
Burè
Badolita?
Harach?
Mobaia?
Augudali?
Andella Gubò?
L. Asciangi
Mai Culuscia
Passo di Bilimò
Enda Mariam
Cobbò
Mossala Calò
(o Selien Uanà)
Sobidi
Mai Cormat
T. Golima
T. Alàuaa
Voldia
Garicò?
Nammaila?
M. Idabba
Altare di Mesca
M. Firalelè

42°

43°

13°

12°

Assab

Ilalalu

M. Udalè

Piana di Marcalli

Marcalli

Ghibdo

T. Ghibdo

Udali

T. Arsilè

U. Daddoale Teiena

300

Masmasù

Dalla

392

Elia

Foddada

Acullè

M. Calalavia

M. Uabita

Piana di Sardodda

M. Allimeleali

Daère

Bure

510

Bure

Enda Bura

M. Egrasua

Entiacami

580

Piantra Doddaita

600

M. Berrainto

Piantra Addabi

Alt^mo Amerraraso

Adali

Dilpita

Faghe

M. Diloli

Valle di Dol

T. Iseli

Tirodud

Afoa

T. Cherbili

Alt^mo Anachie

M. Egrosango

M. Assoma

M. Asaba

Lesbelti

Guali

Alt^mo Tenik

Arodolaito

Alt^mo Agaves

Asgafana

Corama Doda

T. Algi

Altipiano di Sijaro

Dahtao

M. Undurur

Altipiano di Issa

Onale

T. Golima
T. Aláuaa
Golidà
T. Grado
Martò
T. Marsa
Bascià Ciaffè
Colot Bèi
T. Agiuaa
Uciale
F. Millè
Ambasoli Giarre
Mariè
Gerbo
Uadilo
Borumtoo
o piana di Borù
Dessie
2250
U O
Albucco
T. Bortchennà
Lago
S. Stefano
Cheurare
Monte Uorrabaie
Uorrabaie
Cà Moticolà
Cà Dessie
Cà Ain Ambà
Cà Ain Ambà
Cà Ain Ambà

OF 1-6-56 FROM W. H. ANDERSON, STATE DEPT.
BY William Lescure DATE July 14 1962

Altipiano di Sijaro

Daklac

Altipiano di Issa

DANAKIL

M. Firalalè

Onale

Dobi

Gusrat

390

Sorgenti termali

T. Dobi

T. Gaudi

Bullugum

M. Curub

Piana di Sardo

all'altip. di Sijaro

Pist Garo

Utena

Piana di Robodanum

Fura-Gura

Piana di Ancaraia

Piana di Alaila

Altipiano

Arissa

Piana di Giaiale

Gamarri

L. Gargori

Foresta di Gherat

Piana di Gaiuli

Pna Lacura

Dioita

380

a Tagiura

Allur

Mutrus

Goloddoba

Darmaleta

Ag-na

Galfaghe

Galfaghe

S. A.

Fiume Uma

Pista Abnarina

Anasc

F. Anasc

Furzd

Maderale-Dobba

L. Gamarri

F. Germoudli

Monti

L. Abe bad

ITINERARIO

ASSAB - DESSIÈ

Scala di 1 : 400 000

0 5 10 15 20 25

Chilometri

Itinerario del Dott. Brielli, Agente Commerciale a Dessiè.

Aggiunte e correzioni alla carta 1 : 400 000 dell' Istituto Geografico Militare, desunte da informazioni del Commissario di Assab Dott. Annaratone e del Sig. Tullio Pastori.

Asmara, 1927.

C. MANZONI

42°

43°

12°

11°

Litog. Sei

Servizio Cartografico del Ministero delle Colonie

Proprietà riservata

884154/4

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Nuovi orizzonti pel commercio italo-etiopico



Per l'accordo fra l'Italia e l'Abissinia del quale la stampa ha largamente discusso nello scorso mese, la prima ha concesso all'altra una zona franca in Assab realizzando alfine l'aspirazione vivissima di tutti i Re d'Etiopia ad uno sbocco al mare.

La concessione di detta zona rimarrebbe una formula cortese se non si pensasse a congiungere Assab con l'altipiano etiopico a mezzo di strada che permetta alle merci abissine di arrivare sollecitamente dall'interno al Mar Rosso. Perciò il trattato di cui sopra stabilisce la costruzione di una camionabile fra Assab e il più vicino centro commerciale e politico dell'Impero, Dessiè; camionabile destinata a dar vita ai languenti commerci del paese in cui sbocca.

La cosa è chiara; le carovane impiegano 40 giorni, se di cammelli, e da 20 a 25 se di muletti, per scendere da Dessiè-Assab; così che il movimento commerciale di questo porto in tre anni — dal '22 al '25 — è salito da L. 2.047.000 a 27.500.000.

Il commercio dell'Etiopia centrale è contenuto oggi in modestissimo sviluppo dalle difficoltà logistiche che incontra in ogni direzione; ma diventerà cospicuo non appena godrà del potente ausilio della camionabile Dessiè-Assab.

Si tratta di quattro milioni di abitanti che han bisogno di cotonate, strumenti rurali, oggetti domestici di ogni genere, manufatti, zucchero, sale, petrolio, sapone e che possono dare in cambio grandi quantità di bestiame, pelli, caffè, cera, miele, granaglie, burro, legumi; si tratta di tutta o quasi la metà orientale del grandioso bacino del lago Tzana che include le vaste regioni dei Wollo-Galla, del Jeggiu, del Lasta, del Beghemeder, del Goggiam settentrionale ed orien-

commerciale e politico dell'Impero, Dessiè; camionabile destinata a dar vita ai languenti commerci del paese in cui sbocca.

La cosa è chiara; le carovane impiegano 40 giorni, se di cammelli, e da 20 a 25 se di muletti, per scendere al mare, mentre la ferrovia Addis-Abeba-Gibuti ne impiega tre; così che i commercianti di Dessiè hanno oggi la convenienza di perdere dieci e perfino venti giornate di carovana per trasportare le merci alla testa della ferrovia suddetta, anzichè inviarle al mare per la via più breve e diretta, ma non ancora aperta ai mezzi meccanici.

L'accordo italo-etiopico fa obbligo alle parti contraenti di costruire il tratto della strada che si svolge nel rispettivo territorio. E' naturale e logico pensare che per la costruzione della sua parte — di gran lunga la maggiore — Negus Tafarì ricorrerà ad una società italo-etiopica mancando in Abissinia uomini e mezzi tecnici.

L'importanza politica di tutto questo: zona franca, strada da Assab-Dessiè e assunzione da parte d'imprese italo-etiopiche dei lavori inerenti all'apertura del nuovo sbocco, è tanto evidente che non perderò tempo a dimostrarla; notando solo come la Nazione che meno pareva destinata a stringere amicizia con l'Etiopia perchè l'unica che l'abbia combattuta con le armi, è oggi in condizione di renderle il più gradito servigio e di stringere con essa vincoli assai più stretti ed intimi che non siano quelli scritti sui trattati.

Conclusione inattesa forse, ma in realtà logica e naturale fra chi ha appreso a stimarsi sui campi di battaglia.

Esaminiamo invece la portata economica della via Assab-Dessiè.

Oggi le correnti commerciali del vasto impero etiopico sono tre, di cui due molto importanti sfociano al mare, a Massua e Gibuti, ed una assai meno importante per le enormi distanze da percorrere, si apre con agevole sbocco alla valle del Nilo. All'ingrosso si può dunque dire che Massua è il porto dell'Abissinia settentrionale come Gibuti dell'Abissinia meridionale.

Ma il paese è sì vasto che l'Abissinia centrale, troppo distante dalle teste di linea ferroviarie di Addis Abeba per Gibuti e di Asmara per Massaua, beneficia assai poco dell'una e dell'altra corrente a cui stentatamente avvia qualche rivoletto dei suoi prodotti. Tanto è vero ciò, che non appena reso sicuro il territorio dàncalo e stabiliti buoni accordi fra il nostro commissario in Assab e i capi dell'interno, una parte di questo commercio dell'Abissinia centrale — non ostante l'attrazione esercitata dalla ferrovia di Gibuti — tornò al naturale deflusso e riprese a frequentare la carovaniera cera, miele, granaglie, burro, legumi; si tratta di tutta o quasi la metà orientale del grandioso bacino del lago Tzana che include le vaste regioni dei Wollo-Galla, del Jeggiu, del Lasta, del Beghemeder, del Goggiam settentrionale ed orientale, del Worro Jelo; ossia le più popolose, sane, ricche dell'Abissinia tutta; con molta probabilità ricche anche di minerali.

Oggi il movimento commerciale generale di Gibuti è di circa un miliardo e più, e quello di Massua raggiunge i 300 milioni. Fra pochi anni queste cifre saranno certamente assai maggiori poichè sotto la spinta di un capo energico e intelligente quale è Negus Tafarì, l'Abissinia camminerà spedita sulla via del progresso e i suoi bisogni aumenteranno.

Ma ancorchè il movimento complessivo delle merci etiopiche rimanesse stazionario, la costruzione della camionabile Assab-Dessiè sarebbe sempre giustificata a pieno dalla previsione — non esagerata nè ottimista — che un quarto circa di esso movimento si incanalerà volentieri ad Oriente non appena una via breve ed economica consiglierà ai mercanti di risparmiare le spese e il tempo occorrenti per il lungo giro a Nord o a Sud.

La spesa di tale costruzione sarà compensata?

La camionabile che assicura tanto vantaggio al commercio etiopico sarà proficua alla società che assumerà i lavori?

Una risposta esauriente potranno dare i tecnici che studieranno sul terreno il problema e potranno dire esattamente quanto costerà la strada, perchè determineranno con precisione la sua lunghezza ed i lavori necessari. Ma qualchè dato generico si possiede già; tanto da poter fare qualche calcolo approssimativo.

La via dell'Aussa percorsa dal tenente Giannini e dal tenente Marazzani che hanno lasciato pregevoli itinerari, dall'ing. Lega, dal Brielli e da altri, fu studiata con vivo interesse dal colonnello Annaratone che per primo esaminò il problema con la visione completa della sua portata, quale oggi si discute.

Egli divide la strada in cinque tratti a seconda del fondo in cui passa: 1. Assab-Ela km. 58.200 — 2. Ela-Mauda Hassen Uacari chilometri 90 — 3. Hassen Uacari-Valle dell'Jmminu-Dobi-Cusrat 140 km. — 4. Cusrat-Batiè 180 km. — 5. Botiè-Dessiè 60 km.

Sono in totale 528 km. che nella peggiore ipotesi diventeranno 550 nella trasformazione della cammelliera in camionabile, senza escludere che possano anche diminuire.

Si tratta dunque di un percorso notevolmente inferiore a quello del

la ferrovia Gibuti-Adis Abeba, lunga 800 km.

I lavori per la costruzione della camionabile saranno certamente notevoli ma, per il momento almeno, credo siano da escludere i ponti sostituendoli con cunettoni sul fondo dei torrenti; sia perchè il traffico dell'altipiano si arresta completamente durante la stagione delle pioggie e i ponti sarebbero inutili, sia perchè i torrenti in piena si allargano talmente che anche i ponti rimarrebbero isolati in mezzo all'inondazione, pur ammettendo resistessero all'impeto delle acque.

Tenuto conto dunque che le maggiori opere sono per ora sconsigliabili e che il fondo della strada è utilizzabile in alcuni tratti così com'è per natura, si può calcolare che il costo totale dei 550 km. ei aggirerà fra i 15 e 20 milioni.

Le spese di esercizio saranno forti; anzitutto per tre mesi dell'anno, durante il periodo più intenso delle pioggie sull'altipiano, ogni traffico è sospeso e perciò materiale e personale restano inutilizzati; poi alla fine della stagione piovosa occorreranno grosse riparazioni alla strada; il personale dovrà essere scelto e numeroso; il clima di Assab e del basso piano guasta materiale e uomini.

In compenso si può far sicuro calcolo sopra buona attività della nuova arteria; il traffico e i conseguenti redditi saranno pronti ad accorrervi.

Come ho detto, notevole parte del movimento globale del commercio etiopico che defluisce a Massaua a nord e a Gibuti a sud, avrà convenienza a dirigersi al mare ad oriente per la via più diretta.

Qualche carovana comincia già ad avviarsi non ostante l'enorme costo dei trasporti. Oggi un quintale di merci fra Assab e Dessiè costa, trasportato a cammello, quasi 100 lire; è evidente che i camions darebbero notevolissimo vantaggio.

In totale il movimento commerciale si può ritenere assicurato e redditizio; ma bisogna astenersi da ogni esagerazione ottimistica perchè i frequenti lavori di riparazione alla strada, la manutenzione diligente e costosa del materiale, il personale numeroso e scelto inciderannno profondamente sul reddito.

Dal lato economico l'impresa offre dunque lusinghiere prospettive ma soltanto a patto di buona sistemazione e di vigile amministrazione.

La sicurezza del traffico si può ritenere sarà completa. Certamente la nuova arteria disturberà in principio alcuni interessi a cominciare da quelli dei cammellieri; darà noia a speciali traffici di alcuni capi; diminuirà i proventi doganali di altri; ma il Negus Tafari nel suo equilibratissimo senso di governo troverà il modo per compensare le eventuali loro perdite e per non suscitar nemici all'impresa ch'egli patrocinerà con tutto ardore. Su ciò nessun dubbio.

Dal momento che il Re d'Abissinia ha deciso che la camionabile sia fatta, ogni difficoltà sarà da lui

aventuali loro perdite e per non suscitar nemici all'impresa ch'egli patrocinerà con tutto ardore. Su ciò nessun dubbio.

Dal momento che il Re d'Abissinia ha deciso che la camionabile sia fatta, ogni difficoltà sarà da lui affrontata e appianata; la fermezza di cui è dotato, il suo tatto politico, i mezzi di cui dispone dànno pieno afidamento di piena tranquillità durante i lavori e durante l'esercizio della strada.

Tuttavia sarà utile, necessario anzi, evitare incidenti di qualsiasi genere, attriti, cagioni di malcontento; e a tale scopo bisognerà dare speciali istruzioni al personale e sarà bene che questo, oltre a un capo tecnico abbia anche un capo direi quasi politico: uomo sensato, energico, pratico di luoghi, persone, costumi e psicologia delle popolazioni e dei capi incaricati di preparare prima i diversi ambienti e di appianare poi le inevitabili difficoltà e di attutire eventuali momentanei urti che si verificassero durante il lavoro.

Solo, in tal modo, a mio avviso, l'importante impresa italo-etiopica procederà serena ed indisturbata attraverso le deserte plaghe bagnate dal sangue delle missioni Bianchi, Giulietti, Porro, e consacrandole ad opera di alta civiltà darà significato e valore e compenso al sacrificio di quei nostri pionieri.

Ed è certo significativo che a tale opera si apprestino amichevolmente due popoli che Adua pareva avesse per sempre divisi.

Gen. GHERARDO PANTANO

La morte di un collega

NAPOLI, 29. — Ieri notte si è spento nella nostra città il collega prof. Armando Pappalardo.

Uomo di vasta e profonda cultura il Pappalardo iniziò la sua carriera giornalistica in età giovanissima e quale redattore del *Corriere di Napoli*.

Fu cronista del *Don Marzio* e del *Giorno* non che assiduo ed apprezzato collaboratore di molti altri quotidiani e riviste, e insegnante di belle lettere nell'Istituto industriale.

Asfissiato dall'acido carbonico

FIRENZE, 29. — Si ha da Figline Valdarno che Pietro Lazzerini, abitante nel viale Vittorio Locchi, per riscaldare la propria camera aveva acceso del carbone in un braciere, collocandolo nel mezzo della stanza. La sera il Lazzerini si coricava insieme ai figli Mario e Dante. Durante la notte venivano presi da asfissia, prodotta dall'acido carbonico. Mario moriva e gli altri due sono stati ricoverati all'ospedale Serristori.

Audace furto a Firenze

nei locali della tesoreria provinciale

FIRENZE, 29. — Il colonnello in congedo, Antonio Bacocchi, mentre si trovava nei locali della Tesoreria Provinciale in via dell'Oriuolo, per effettuare una riscossione, veniva destramente derubato ad opera di uno sconosciuto di una busta che teneva in tasca, contenente titoli per L. 12 mila.

Despatch No. Enclosure No.

LA TRIBUNA, Rome. December 30, 1928.

T R A N S L A T IO N

NEW HORIZONS FOR ITALO-ETHIOPIAN COMMERCE

Today the commercial channels of the vast Ethiopian Empire are three, of which two very important ones open on the sea at Massua and Djibouti. The other, much less important on account of the distance that must be travelled, extends westward to the Nile Valley. In general, therefore, it may be said that Massua is the port of Northern Abyssinia in the same way as Djibouti is the port of Southern Abyssinia.

But the country is so extensive that Central Abyssinia, too far distant from the heads of the Addis Abeba-Djibouti and the Asmara-Massua railroads, benefits very little from either one of these routes, and it is only with difficulty that a small amount of its products are transported this way. So true is this that hardly had the Danakil district been rendered safe for travel and friendly relations established between our Commissary in Assab and the chiefs of the interior, than a portion of this Central Abyssinian trade -- in spite of the

attraction

attraction exerted by the Djibouti Railroad -- returned to the natural outlet and again followed the Dessié-Assab caravan line. Thus it was that the commercial activity of the port of Assab increased in three years -- from 1922 to 1925 -- from 2,047,000 to 27,500,000 lire.

The trade of Central Abyssinia is of very modest proportions today on account of the difficulties which it encounters in every direction; but it will become important as soon as it benefits from the great assistance afforded by the Dessié-Assab automobile road.

Here is a question of 4,000,000 inhabitants who are in need of clothing, farming implements, domestic articles of all kinds, manufactured goods, sugar, salt, petroleum, and soap, and which are able to give in exchange large quantities of cattle, skins, coffee, honey, wax, grains, butter and vegetables; it involves almost the entire western half of the great basin of Lake Tzana which includes the vast regions of Wollo-Galla, Jeggiu, Lasta, Beghemeder, Northern and Eastern Goggiam, and of Worro Jelo; in other words, the most populated, healthiest, and richest region of the whole of Abyssinia. In all probability it is also rich in minerals.

Today the commercial activity of Djibouti amounts to more than a billion lire while that of Massua reaches 300,000,000. In a few years these figures certainly will be much greater because, under the impulse of an intelligent and energetic Chief such as Negus Tafari, Abyssinia will make rapid strides along the road of progress and her requirements are bound to increase as a result.

But even though there should be no increase in Abyssinia's

trade,

trade, the construction of the automobile road from Assab to Dessié would nevertheless be fully justified by the estimate -- neither exaggerated nor optimistic -- that about one-quarter of this trade would of itself flow eastward as soon as a short and an economic route permitted the merchants to save the expense and time necessary for the long stretch from north to south.

Will the expenses of this construction be compensated?

Will the automobile road which is going to be so advantageous to Ethiopian commerce be profitable for the company which is going to undertake the work?

An exhaustive reply can be had from the technicians who are studying the problem on the premises and they will be in a position to assert exactly how much the road will cost, because it is they who will determine precisely its length and the necessary work connected with it. But certain data is already available -- enough to make a few approximate calculations.

The Aussa road, travelled by Lieut. Giannini and Lieut. Marazzani who left a precious account of their itinerary, by Engineer Lega, by Brielli, and by others, was studied with great interest by Colonel Annaratone, who was the first to examine the problem with a complete vision of its significance in the same way that it is being discussed today.

He divides the road in five parts, according to the valleys through which it passes: 1. Assab-Ela - 58.200 kms. 2. Ela-Mauda Hassen Uacari - 90 kms. 3. Hassen Uacari-Valle of Jmminu-Dobi-Cusrat - 140 kms. 4. Cusrat-Batié - 180 kms. 5. Batié-Dessié - 60 kms.

There are altogether 528 kms. which, under the most pessimistic hypothesis, will total 550 kms. through the

transformation

transformation of the camel road into an automobile road. It is also possible that there may be a reduction in these figures.

We have, therefore, a route that is notably shorter than the railroad line from Djibouti to Addis-Abeba, which is 800 kms. long.

The work on the construction of the automobile road will certainly be considerable, but for the moment at least I believe that it will not be necessary to build bridges, drainage canals being sufficient, both because the traffic on the plateau completely ceases during the rainy season making the bridges useless, and because, when the rivers rise, they overflow on all sides to such an extent that the bridges themselves would be isolated even though they would be able to withstand the force of the flood waters.

Bearing in mind, therefore, that it would be unwise to undertake the building of important constructions for the moment, and that the natural surface of the road can be used in some sections, the total cost of the 550 kms. can be calculated between 15 and 20 millions.

The cost of upkeep will be great. First of all for three months of the year, during the period of intense rainfall on the plateau, all traffic is suspended and therefore material and personnel must be idle. Then, at the end of the rainy season, a great deal of road repair would be necessary. The personnel should be carefully chosen and numerous. The climate of Assab and of the lower plain ruins both material and men.

On the other hand, it is possible to say for certain that the business of the new artery will be brisk. The traffic and the consequent returns will be immediate.

As

As I have said, an important part of the total commercial activity of Ethiopia, which finds its outlet at present at Massua on the north and at Djibouti at the south, will find it more convenient to reach the sea toward the east by the most direct route.

A few caravans are already beginning to follow this line in spite of the enormous cost of transportation. Today a quintal of merchandise between Assab and Dessié costs when transported by camel about 100 lire. It is evident that the use of trucks would be able to afford most important advantages.

To sum up, the commercial traffic can be considered assured and profitable. But it is necessary to refrain from too much optimistic exaggeration, because the frequent repairs to the road, the continual upkeep and the cost of material, and the numerous and carefully chosen personnel, will make heavy inroads into the financial returns. From an economic point of view, therefore, the undertaking offers great possibilities but only if well managed.

The use of the road, of course, must be made safe. Certainly the new artery will first of all clash with certain interests beginning with the camel owners; it will annoy certain chiefs who enjoy revenues from private trade of their own; and it will decrease the customs revenues of others. But Negus Tafari, on account of his well-balanced governing sense, will find a way to compensate the eventual losses of these and to avoid making enemies of the undertaking that he himself is furthering with great ardour. Regarding this there is no doubt.

From

From the moment that the King of Abyssinia decided that the automobile road was to be constructed, he determined that every difficulty should be faced and smoothed out by him. The firmness with which he is endowed, his political tact, the means which he has at his disposal, make one confident that the work will be accomplished and the road administered under peaceful conditions.

However, it will be useful and even obligatory to avoid incidents of any kind, and to this end it will be necessary to give special instructions to the personnel. It would be a good idea if these, in addition to a technical chief, could have a sort of political chief, a sensible, energetic man with a knowledge of the region, of the personalities, of the customs and psychology of the populations, Especially he should know how to handle the tribal chiefs who must first prepare the various regions for the enterprise, and later must smooth out the inevitable difficulties and disputes which will arise from time to time while the work is progressing.

In my opinion, in this way only will the important Italo-Ethiopian undertaking proceed smoothly and serenely across the deserted regions bathed with the blood of the Bianchi, Giulietti, Porro missions, and only by consecrating the undertaking to the progress of civilization can it mean something worth while and compensate for the sacrifices of these pioneers of ours.

And it is certainly significant that two peoples which Adowa appeared to have divided forever should both lend themselves in a friendly manner to this work.

Gen. GHERARDO PANTANO.

PM RECD

EMBASSY OF THE
UNITED STATES OF AMERICA

ROME, January 31, 1929.

No. 2117.

FEB 15 29

The Honorable

The Secretary of State,

Washington.

Sir:

884.154/4

With reference to my despatch No. 2077 of January 9, 1929, regarding Italo-Abyssinian relations, I have the honor to transmit herewith a copy of Royal Decree-Law of December 9, 1928, No. 3302, giving execution to and containing the text of the Convention between the Kingdom of Italy and the Empire of Ethiopia, signed in Addis Abeba on August 2, 1928, for the construction of an automobile road and for the concession of a free zone at Assab. There is also enclosed a copy of Royal Decree-Law of December 9, 1928, No. 3303, giving execution to and containing the text of the Treaty of Friendship, Conciliation, and Arbitration

between

between the Kingdom of Italy and the Empire of Ethiopia, signed in Addis Abeba August 2, 1928. Both these Decree-Laws appeared in the GAZZETTA UFFICIALE of January 28, 1929. Translations will be forwarded in next week's pouch.

There is also enclosed an extract from a report of the Military Attaché to this Embassy on Italian penetration in Abyssinia as well as on conditions in Eritrea and Italian Somaliland as seen by Colonel Nation, the British Military Attaché in Rome. This report is confidential.

765.84

I have the honor to be, Sir,

Your obedient servant,

Alexander Kirk,
Chargé d'Affaires ad interim.

Enclosures:

Copy of Royal Decree No.3302 of December 9,1928;
" " " " No.3303 " December 9, 1928;
Extract from report of Military Attaché.

Copy to E.I.C., Paris, and to Addis Abeba.

Cirenaica, dal Ministro per le colonie, di concerto col Ministro predetto.

« Farà parte di diritto del Consiglio superiore della Cassa nazionale infortuni un rappresentante del Ministero delle colonie, da nominarsi con R. decreto ai sensi dell'art. 6 della convenzione annessa alla citata legge 28 marzo 1912, n. 304, su proposta del Ministro per le colonie, di concerto con quello per l'economia nazionale.

« Il detto rappresentante avrà voto deliberativo solo nelle questioni che riguardino direttamente l'azione della Cassa nelle Colonie ».

« TITOLO IV. — *Soppresso* ».

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 29 novembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI — FEDERZONI — MARTELLI.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 230. — FERZI.

Numero di pubblicazione 383.

REGIO DECRETO 24 dicembre 1928, n. 3301.
Delimitazione dei confini tra i comuni di Lu e Mirabello Monferrato.

VITTORIO EMANUELE III
PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE
RE D'ITALIA

In virtù dei poteri conferiti al Governo col R. decreto-legge 17 marzo 1927, n. 383, convertito nella legge 7 giugno 1928, n. 1382;

Sulla proposta del Capo del Governo, Primo Ministro Segretario di Stato, Ministro Segretario di Stato per gli affari dell'interno;

Abbiamo decretato e decretiamo:

I confini tra i comuni di Lu e Mirabello Monferrato sono stabiliti in conformità della pianta planimetrica vistata il 15 ottobre 1928 dall'ingegnere capo dell'ufficio del Genio civile di Alessandria.

Tale pianta, vidimata, d'ordine Nostro, dal Ministro proponente, farà parte integrante del presente decreto.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 24 dicembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 232. — FERZI.

Numero di pubblicazione 384.

REGIO DECRETO-LEGGE 9 dicembre 1928, n. 3302.
Esecuzione della Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis-Abeba il 2 agosto 1928-VI, per la costruzione di una strada automobilistica e per la concessione di una zona franca ad Assab.

VITTORIO EMANUELE III
PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE
RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'art. 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis-Abeba il 2 agosto 1928-VI, per la costruzione di una strada automobilistica, e per la concessione di una zona franca ad Assab;

Udito il Consiglio dei Ministri;

Sulla proposta del Capo del Governo, Primo Ministro Segretario di Stato, Ministro Segretario di Stato per gli affari esteri, di concerto col Ministro per le colonie;

Abbiamo decretato e decretiamo:

Art. 1.

Piena ed intera esecuzione è data alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis-Abeba il 2 agosto 1928-VI, per la costruzione, da parte del Regio Governo, di una strada automobilistica da Assab al confine etiopico, e, da parte del Governo Etiopico, di una strada automobilistica da detto confine a Dessié, e per la concessione, da parte del Regio Governo al Governo Etiopico, di una zona franca ad Assab.

Art. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore contemporaneamente al Trattato di amicizia, conciliazione ed arbitrato fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928-VI.

Il Ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI — FEDERZONI.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 233. — FERZI.

IL REGNO D'ITALIA E L'IMPERO ETIOPICO

Hanno convenuto e stipulano la seguente Convenzione:

Articolo Primo.

Questa Convenzione è fatta per due scopi: la costruzione di una strada automobilistica da Assab a Dessiè e la con-

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TO THE INDEX BUREAU

cessione al Governo Etiopico di una zona franca nel porto di Assab. Questi due obblighi dovranno essere inseparabilmente adempiuti.

Articolo Secondo.

Allo scopo di ampliare il commercio tra i due Paesi il Governo Etiopico costruirà il tratto di detta strada in territorio etiopico da Dessiè fino al confine italiano verso Assab.

Il Governo Italiano da parte sua costruirà il rimanente tratto di strada dal porto di Assab fino al confine etiopico.

Il Governo Etiopico potrà costruire a proprie spese il tratto di strada nel suo territorio, oppure a mezzo di una Società cui esso Governo Etiopico si riserva di concedere, con atto da esso stesso definito, tale costruzione. Se i lavori saranno eseguiti a mezzo di una Compagnia, il Governo Etiopico potrà partecipare a tale Compagnia in qualità di azionista.

Articolo Terzo.

Per il trasporto delle merci e dei passeggeri con automezzi sulla strada camionabile Assab-Dessiè sarà formata una Compagnia italo-etiopica. Il Governo Etiopico potrà fornire direttamente la sua quota del capitale della Compagnia o farla sottoscrivere per azioni da altri. Soltanto questa Compagnia italo-etiopica avrà la concessione del trasporto delle merci e dei passeggeri su questa strada e ciò non verrà concesso ad altre Compagnie.

Articolo Quarto.

Nel porto di Assab il Governo Italiano darà in concessione al Governo Etiopico per anni centotrenta una zona di terreno in località conveniente all'approdo delle navi, nell'interno della città od all'esterno di essa, secondo la scelta che il Governo Etiopico farà tra le due zone propostegli da quello Italiano.

La superficie della zona sarà di seimila metri quadrati se nell'interno della città e di trentamila metri quadrati se all'esterno di essa. Il Governo Etiopico potrà mutare secondo la convenienza la lunghezza e la larghezza di questa zona. E ciò ad esclusione del mare.

Se in avvenire la zona franca prescelta dal Governo Etiopico risulti insufficiente allo sviluppo degli interessi etiopici, il Governo Italiano accoglierà benevolmente una eventuale domanda da parte del Governo Etiopico per l'aumento della detta zona.

Tuttavia, se la zona prescelta sarà quella dei seimila metri quadrati, l'aumento della estensione sarà soltanto quale risulterà possibile concedere in relazione alla località stessa, data la scarsa disponibilità di terreno in quel settore.

Questa zona di terreno sarà completamente delimitata da una Commissione di esperti scelti dai due Governi ed ai confini di essa saranno posti dei segnali.

Per tale zona concessagli il Governo Etiopico pagherà al Governo Italiano annualmente un Tallero Maria Teresa d'affitto.

Il Governo Etiopico potrà costruire nella zona franca un deposito per merci che saranno esenti da qualsivoglia dazio doganale, le altre costruzioni necessarie alla gestione dei depositi e tutte le altre case che saranno necessarie, approntarvi ogni utile lavoro, metterla in valore in modo da ampliare gli utili pecuniari che possono esserne ricavati e farvi ogni conveniente cosa o di speciale utilità.

Il Governo Etiopico avrà facoltà di costruire sull'area del deposito, od in collegamento con essa mediante un passaggio da stabilirsi, un pontile a mare ad uso dell'Etiopia. A detto pontile potranno approdare le navi del Governo Etiopico e le navi di commercio di altri Stati. Il Governo Etiopico avrà un diritto di passaggio per tutto ciò che farà transitare dal pontile al deposito su indicato e da esso al punto di intersezione del confine italo-etiopico della strada che sarà costruita secondo il disposto di cui all'articolo secondo, sotto riserva dell'osservanza delle convenzioni internazionali.

Articolo Quinto.

Prima che si inizino i lavori pel compimento degli obblighi derivanti dalla presente Convenzione, la Commissione degli esperti di cui all'articolo quarto definirà quanto segue:

Primo. — Stabilirà dettagliatamente tutte le questioni circa i lavori e le spese per i lavori seguenti:

a) i lavori della strada, la sua organizzazione ed il modo di metterla in valore;

b) la costituzione della Società per i trasporti automobilistici, la questione delle entrate e quella degli obblighi che dovranno essere adempiuti dalla Compagnia;

c) quanto è necessario alla costruzione ed alla manutenzione della strada;

d) la scelta dei tecnici e degli operai specialisti per i lavori;

e) le tasse e dogane da pagare per la strada.

Secondo. — Stabilirà i regolamenti locali, tutta la competenza giudiziaria e quanto è connesso con l'applicazione dell'articolo sesto per la zona franca.

Articolo Sesto.

Pur non portando alcuna limitazione all'applicazione delle leggi e dei regolamenti italiani, le eventuali contestazioni sorte tra i funzionari del Governo Etiopico che dimorino nella zona franca potranno essere giudicate dal locale rappresentante di quel Governo, secondo norme e disposizioni emanate dallo stesso Governo Etiopico.

Articolo Settimo.

Gli impegni della presente Convenzione diventeranno reciprocamente efficienti quando le Alte Parti contraenti abbiano entrambe eseguiti i rispettivi obblighi e quando i due Governi avranno approvato le conclusioni della Commissione degli esperti.

Articolo Ottavo.

Le disposizioni della presente Convenzione avranno vigore per tutta la durata della concessione della zona franca. Tuttavia se durante questo tempo le Alte Parti contraenti lo riterranno necessario potranno d'accordo modificarne le disposizioni secondo le possibilità e le opportunità del momento.

Articolo Nono.

Allo scadere di questa Convenzione il Governo Etiopico avrà la facoltà dal Governo Italiano di conservare in proprietà privata alle condizioni degli altri proprietari terrieri di Assab tutti gli immobili da esso costruiti nella zona franca concessagli nel porto di Assab.

Articolo Decimo.

Allo scadere della presente Convenzione i due Stati contraenti potranno d'accordo rinnovarla.

Fatto in duplice copia nelle due lingue ufficiali italiano ed amarico, essendo i due testi identici; una copia resterà nelle mani del Governo Italiano ed una nelle mani del Governo Etiopico.

Il comm. GIULIANO CORA, Ministro plenipotenziario di Sua Maestà il Re d'Italia, in nome del Governo Italiano, e Sua Altezza TAFARI MACONNEN, Erede del Trono e Reggente dell'Impero Etiopico, in nome del Governo Etiopico, lo hanno firmato e sigillato coi loro sigilli.

Addis Abeba, 2 agosto 1928 - Anno VI. (Il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia).

L'Erede del Trono di Etiopia:

(*L. S.*) GIULIANO CORA (*L. S.*) TAFARI MACONNEN

Visto, d'ordine di Sua Maestà il Re:

p. *Il Ministro per gli affari esteri*:
GRANDI.

Numero di pubblicazione 385.

REGIO DECRETO-LEGGE 9 dicembre 1928, n. 3303.

Esecuzione del Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928.

VITTORIO EMANUELE III
PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE
RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'art. 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione al Trattato di amicizia, conciliazione e arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928 - Anno VI;

Udito il Consiglio dei Ministri;

Sulla proposta del Capo del Governo, Primo Ministro Segretario di Stato, Ministro Segretario di Stato per gli affari esteri;

Abbiamo decretato e decretiamo:

Art. 1.

Piena ed intera esecuzione è data al Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928 - Anno VI.

Art. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore all'atto dello scambio delle ratifiche del Trattato di cui all'articolo precedente.

Il Ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 234. — FERZI.

SUA MAESTÀ VITTORIO EMANUELE III RE D'ITALIA

E

SUA MAESTÀ ZAUDITU' IMPERATRICE DI ETIOPIA

Hanno voluto che l'amicizia dei Loro due Stati divenga più salda e durevole e che le relazioni economiche tra i due Paesi vadano ampliandosi.

Perciò il comm. Giuliano Cora, Ministro plenipotenziario del Regno d'Italia, in nome di Sua Maestà Vittorio Emanuele III e Suoi Successori, e Sua Altezza Imperiale Tafari Maconnen, Erede del Trono e Reggente dell'Impero Etiopico, in nome dell'Imperatrice Zauditù, in nome Suo personale e dei Loro Successori.

Hanno convenuto quanto segue:

Articolo Primo.

Vi sarà pace costante ed amicizia perpetua tra il Regno d'Italia e l'Impero Etiopico.

Articolo Secondo.

I due Governi si impegnano reciprocamente a non compiere, sotto alcun pretesto, alcuna azione che possa nuocere o ledere l'indipendenza dell'altro, ed a salvaguardare gli interessi dei loro rispettivi Paesi.

Articolo Terzo.

I due Governi si impegnano ad ampliare ed a far prosperare il commercio esistente tra i due Paesi.

Articolo Quarto.

I cittadini, sudditi e protetti italiani al loro stabilimento in Etiopia e gli etiopici al loro stabilimento in Italia e sue Colonie, per il loro commercio ed il loro lavoro, necessità di vita e di sussistenza e per tutto ciò che riguarda l'esercizio delle loro professioni, del loro commercio e del loro lavoro sono tenuti all'osservanza ed al rispetto delle leggi dello Stato in cui dimorano.

Resta inteso che continueranno ad essere applicate ai cittadini sudditi e protetti italiani in Etiopia le disposizioni dell'articolo 7 del trattato tra l'Impero Etiopico e la Repubblica Francese concluso il 10 gennaio 1908, fino a che quest'ultimo trattato resterà in vigore.

Articolo Quinto.

I due Governi si impegnano a sottoporre ad una procedura di conciliazione o di arbitrato le questioni che sorgeranno tra di loro e che non abbiano potuto essere risolte con i normali mezzi diplomatici, senza aver ricorso alla forza delle armi. Tra i due Governi di comune accordo saranno scambiate note circa il modo di scegliere gli arbitri.

Articolo Sesto.

Il presente Trattato, da registrarsi alla Società delle Nazioni, sarà ratificato e lo scambio delle ratifiche avrà luogo ad Addis Abeba il più presto possibile.

Articolo Settimo.

Il presente Trattato avrà la durata di venti anni dallo scambio delle ratifiche. Allo spirare di tale termine esso sarà rinnovabile di anno in anno.

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Fatto in duplice copia e di identico tenore nelle due lingue ufficiali italiana ed amarica; una delle copie resta nelle mani del Governo Italiano e l'altra nelle mani del Governo Etiopico.

Addis Abeba, 2 agosto 1928 - Anno VI. (Il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia).

L'Erede del trono di Etiopia:

(*L. S.*) GIULIANO CORA — (*L. S.*) TAFARI MACONNEN.

Visto, d'ordine di Sua Maestà il Re:

p. *Il Ministro per gli affari esteri*:
GRANDI.

Numero di pubblicazione **386.**

REGIO DECRETO 6 dicembre 1928, n. **3181.**

Riconoscimento, ai sensi del R. decreto 13 agosto 1926, n. 1907, del Consorzio di irrigazione Novepani e Caldano, in Bagnaia.

N. 3181. R. decreto 6 dicembre 1928, col quale, sulla proposta del Ministro per l'economia nazionale, viene riconosciuto, ai sensi del R. decreto 13 agosto 1926, n. 1907, il Consorzio di irrigazione Novepani e Caldano, con sede nel comune di Bagnaia, provincia di Viterbo, e n'è approvato lo statuto sociale.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 16 *gennaio* 1929 - *Anno VII*

Numero di pubblicazione **387.**

REGIO DECRETO 6 dicembre 1928, n. **3182.**

Riconoscimento, ai sensi del R. decreto 13 agosto 1926, n. 1907, del Consorzio di irrigazione di Caovilla, con sede in Verona.

N. 3182. R. decreto 6 dicembre 1928, col quale, su proposta del Ministro per l'economia nazionale, viene riconosciuto, ai sensi del R. decreto 13 agosto 1926, n. 1907, il Consorzio di irrigazione di Caovilla, con sede in Verona, e n'è approvato lo statuto sociale.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 16 *gennaio* 1929 - *Anno VII*

Numero di pubblicazione **388.**

REGIO DECRETO 31 maggio 1928, n. **3185.**

Autorizzazione alla Regia scuola di disegno per operai « Gaetano Chierici », in Reggio Emilia, ad accettare una donazione per l'istituzione del « Premio Nina Ferrari ».

N. 3185. R. decreto 31 maggio 1928, col quale, su proposta del Ministro per la pubblica istruzione, la Regia scuola di disegno per operai « Gaetano Chierici » di Reggio Emilia viene autorizzata ad accettare una donazione per la istituzione del « Premio Nina Ferrari » da assegnarsi ogni biennio all'alunno o alunna, nato da famiglia della provincia di Reggio Emilia, che abbia compiuto il corso di figura nella Scuola stessa e intenda proseguire nello studio della pittura.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 *gennaio* 1929 - *Anno VII*

Numero di pubblicazione **389.**

REGIO DECRETO 20 settembre 1928, n. **3184.**

Contributo scolastico del comune di Mignanego.

N. 3184. R. decreto 20 settembre 1928, col quale, sulla proposta del Ministro per la pubblica istruzione, di concerto con quello per le finanze, il contributo scolastico che il comune di Mignanego, della provincia di Genova, deve annualmente versare alla Regia tesoreria dello Stato in applicazione dell'art. 17 della legge 4 giugno 1911, n. 487, è fissato in L. 12,619.19 a decorrere dal 1° luglio 1926.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 *gennaio* 1929 - *Anno VII*

Numero di pubblicazione **390.**

REGIO DECRETO 20 settembre 1928, n. **3187.**

Annullamento del contributo scolastico fissato a carico del comune di San Giovanni di Galermo col R. decreto 29 marzo 1914, n. 554.

N. 3187. R. decreto 20 settembre 1928, col quale, sulla proposta del Ministro per la pubblica istruzione, di concerto con quello per le finanze, il contributo scolastico dovuto dal comune di San Giovanni di Galermo, della provincia di Catania, in applicazione dell'art. 17 della legge 4 giugno 1911, n. 487, e fissato in L. 1670.44 col R. decreto 29 marzo 1914, n. 554, è annullato a decorrere dal 28 marzo 1926.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 *gennaio* 1929 - *Anno VII*

Numero di pubblicazione **391.**

REGIO DECRETO 18 ottobre 1928, n. **3188.**

Annullamento dei contributi scolastici fissati a carico dei comuni di Ferrazzano, Mirabello Sannitico ed Oratino col R. decreto 1° luglio 1926, n. 1474.

N. 3188. R. decreto 18 ottobre 1928, col quale, sulla proposta del Ministro per la pubblica istruzione, di concerto con quello per le finanze, i contributi scolastici che i comuni di Ferrazzano, Mirabello Sannitico ed Oratino, della provincia di Campobasso, dovevano annualmente versare alla Regia tesoreria dello Stato in applicazione dell'art. 18 del R. decreto-legge 4 settembre 1925, n. 1722, già fissati in L. 4000 per ciascuno col R. decreto 1° luglio 1926, n. 1474, sono annullati a decorrere dal 1° luglio 1928.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 *gennaio* 1929 - *Anno VII*

Numero di pubblicazione **392.**

REGIO DECRETO 8 novembre 1928, n. **3296.**

Fusione della Cassa comunale di risparmio di Postumia con la Cassa di risparmio triestina di Trieste.

N. 3296. R. decreto 8 novembre 1928, col quale, sulla proposta del Ministro per l'economia nazionale, si provvede per la fusione della Cassa comunale di risparmio di Postumia con la Cassa di risparmio triestina di Trieste.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*

Despatch No. 2117. Enclosure No. 1.

~~CONFIDENTIAL~~

EXTRACT FROM REPORT DATED JANUARY 24, 1929 BY MILITARY ATTACHÉ AT ROME ON EXPLOITATION OF ERITREA AND ITALIAN SOMALILAND AND ITALIAN PENETRATION IN ABYSSINIA.

Until a few years ago, little was done in the Italian colonies in the way of road construction and general improvements, but recent developments aroused British interest to the extent of sending Colonel Nation, their Military Attaché at Rome on a three months tour of investigation to Eritrea, Italian, British, and French Somaliland and Abyssinia. I have had several interesting talks with Colonel Nation since his return and while not subscribing to all of his views his observations are worthy of comment and consideration.

He reports conditions very satisfactory in Eritrea and that the Italians have recently completed a dam on one of the streams flowing into the Soudan South of Kassala which will greatly benefit both Soudan and Eritrea. An agreement between the British and Italians has been reached regarding water rights. Colonel Nation landed at Massua and went

via

via railroad to Agordat and then by auto to Kassala in the Soudan. Returning from Kassala he went by auto to Asmara. The roads throughout Eritrea are said to be in excellent condition those leading from Asmara south into Abyssinia are hard surfaced and in better shape than those near Rome. Plans are to extend the railroad from Agordat eventually to Elaghin on the Abyssinia frontier and he reports that about one third of this distance has already been completed. As indicated in ITALY No.11340 the Italians have roughly 4300 soldiers in Eritrea while Colonel Nation insists that the French have but 350 in French Somaliland (all at DJIBUTI) and the British only 300 in British Somaliland. The above checks incidentally quite closely with other sources.

The question naturally arises as to why the Italians are pushing their railroad and roads to the South in Eritrea. An examination of any map will show that Abyssinia has no seaport and that the only railroad in the country runs from Addis Abeba, the capital of Abyssinia, to Djibuti, the port of French Somaliland. It is a railroad constructed and managed by the French, and draws its revenue principally from southern and central Abyssinia. The region around Lake Tsana is said to be the healthiest and richest section of Abyssinia and the natural outlet for its trade is the Agordat-Massua railroad which is being extended as indicated above. The Italians contend that this will eventually open an important market for clothing and domestic articles in exchange for cattle, hides and other native products. At present, the commercial activity of DJIBUTI amounts roughly to one billion lire while that of Massua has reached three hundred thousand lire. In addition to the trade it

is

is hoped Eritrea will capture by extending its railroad, the Italians also have a scheme for competing with the French controlled ADDIS ABEBA - DJIBUTI railroad. The plan is to build an automobile road from DESSIE in Abyssinia to the port of ASSAB in Eritrea. A report on this project I understand was recently made by our Embassy at Rome to the State Department. At the present time Baron Franchetti is exploring the trade possibilities of this route to determine whether it would justify the expenditure of the 10 to 20 million lire its construction would involve. It is the most direct route to the sea from central Abyssinia and a great part of it has for years been used by caravans. As indicating despite the admittedly high cost of its upkeep that it might pay the commercial activity of the post of ASSAB is said to have increased from 2,047,000 lire in 1922 to 27,500,000 lire in 1925. While the ostensible object of Baron Franchetti exploring trip is given above I understand he is really making a thorough investigation of the raw material situation in eastern Abyssinia just as the Duke of Abruzzi is nearing the completion of a similar mission through southern Abyssinia and Italian Somaliland.

Even should the DESSIE - ASSAB road prove advisable - from the Italian standpoint - it is by no means certain that Abyssinia will assent to its construction. The King is said to be favorably inclined but the Queen who is pro French is strongly opposed. The situation may furnish just another opportunity for French and Italian interests in Africa to clash.

In

In Italian Somaliland the situation is comparatively simple. While over three times as large in area (154,000 sq miles) and with a coast line stretching for 1100 miles along the Indian Ocean, Somaliland to date has not proven to be commercially as important as ERITREA. It is nearer the Equator for one thing and besides the arable land is confined almost entirely to the valleys of the Giuba and Uebi Scebeli rivers. It will be remembered that Giubaland, the valley of the Giuba river, was taken from German East Africa and given to Italy at the end of the World War in an effort to balance British and French acquisitions of former German possessions.

The boundary between Abyssinia and Italian Somaliland although agreed on in 1908 by a treaty has not yet been entirely demarcated. The Duke of Abruzzi as indicated above is at the present time on an exploration trip which began in Southern Abyssinia and will end at his estate on the Uebi Scebeli river near Giohar village. He is said to be a great believer in the future of Somaliland and is credited with the intention of devoting the remainder of his life to the advancement of Italy's interests in Somaliland. He is president of the Agricultural Society of Somaliland and his farm is said to be a model one. Until last year, however, it was operated at a loss. A serious effort is being made to improve communications both by land and water. The Italian Government subsidizes the "Società Romana di Colonizzazione" which operates boats on the Giuba and the Uebi Scebeli Rivers. Roads are being improved especially those connecting Abyssinia and Somaliland. To date, however, Italy has not been successful in getting her

people

people to emigrate to the colonies. The latest figures available indicated that Somaliland with an estimated population of 650,000 has but approximately 1000 Italians or one Italian to 650 natives. The situation is not much better in Eritrea where there are 4500 Italians out of a population of 450,000 or one Italian to a hundred natives. These figures are exclusive of the military garrisons.

EMBASSY OF THE
UNITED STATES OF AMERICA

ROME, February 5, 1929.

No. 2127.

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DEPARTMENT OF STATE
MAR 9
DIVISION OF
NEAR EASTERN AFFAIRS

TREATY DIVISION
FEB 28 1929
DEPARTMENT OF STATE

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DEPARTMENT OF STATE
MAR 1 1929
DIVISION OF
WESTERN EUROPEAN AFFAIRS

The Honorable

The Secretary of State,

Washington.

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Sir:

With reference to my despatch No. 2117 of January 31, 1929, transmitting a copy of the Italo-Abyssinian Treaty of Friendship, Conciliation, and Arbitration of August 2, 1928 and of the Italo-Abyssinian agreement signed on the same date for the construction of an automobile road from Assab to Dessié and for the concession of a Free Zone at Assab, I have the honor to enclose a translation of these documents.

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As the Department undoubtedly knows, when a Law or a Royal Decree-Law "giving execution" ("esecuzione") to an international convention of which Italy is a party is enacted or issued, this signifies that the Italian Government is thereby authorized to proceed with the exchange of

ratifications.

ratifications. The enactment of the law or the issuance of the decree or their subsequent publication in the GAZZETTA UFFICIALE is therefore an internal act and does not give effect to the treaty, which usually enters into force only with the exchange of ratifications. If it is necessary to expedite proceedings, the "esecuzione" is announced by Decree-Law which must, however, be converted into law by Parliament at some later date; if time is not a factor, it is customary for the Government to wait until the "esecuzione" can be enacted into law.

In the case under consideration, the Italo-Abyssinian Treaty of Friendship, Conciliation, and Arbitration enters into force when ratifications shall have been exchanged (Article 2 of the Decree), while, according to Article 2 of the Decree regarding the Automobile Road and Free Zone Convention, this convention becomes effective contemporaneously with the Treaty of Friendship, Conciliation, and Arbitration.

I have the honor to be, Sir,

Your obedient servant,

Alexander Kirk.

Alexander Kirk,
Chargé d'Affaires ad interim.

Enclosures:

Translations of Italo-Abyssinian treaties referred to above.

Copy to E.I.C., Paris, and to Addis Abeba.

T R A N S L A T I O N

ROYAL DECREE-LAW No. 3302 of December 9, 1928.

GIVING EXECUTION TO THE CONVENTION BETWEEN THE KINGDOM OF ITALY AND THE ETHIOPIAN EMPIRE SIGNED AT ADDIS ABEBA AUGUST 2, 1928-VI, FOR THE CONSTRUCTION OF AN AUTOMOBILE ROAD AND FOR THE CONCESSION OF A FREE ZONE AT ASSAB.

VICTOR EMMANUEL III

By the Grace of God and the Will of the People

King of Italy.

With reference to Articles 5 and 10 of the Constitution of the Kingdom; and to

Article 3, No. 2, of the Law No. 100 of January 31, 1926;

In view of the urgent and absolute necessity of giving execution to the Convention between the Kingdom of Italy and the Ethiopian Empire signed at Addis Abeba on August 2, 1928-VI, for the construction of an automobile road and for the concession of a free zone at Assab;

Having consulted the Council of Ministers;

.Upon the proposal of the Head of the Government, Prime Minister, Secretary of State, Minister Secretary of State for

Foreign

Foreign Affairs, in agreement with the Minister of Colonies;

We have decreed the following:

Article 1.

Full and entire execution is given to the Convention between the Kingdom of Italy and the Ethiopian Empire signed at Addis Abeba on August 2, 1928-VI, for the construction on the part of the Royal Government of an automobile road from Assab to the Ethiopian frontier and, on the part of the Ethiopian Government, of an automobile road from the said frontier to Dessié, and for the concession, on the part of the Royal Government to the Ethiopian Government, of a free zone at Assab.

Article 2.

The present decree, which shall be presented to Parliament for conversion into law, shall enter into force contemporaneously with the Treaty of Friendship, Conciliation, and Arbitration between the Kingdom of Italy and the Ethiopian Empire signed at Addis Abeba on August 2, 1928-VI.

The proposing Minister is authorized to present the relative Bill.

We order, etc.

Done at Rome, December 9, 1928 - Year VII.

VICTOR EMMANUEL

Mussolini - Federzoni.

THE KINGDOM OF ITALY AND THE ETHIOPIAN EMPIRE

Have agreed and stipulate the following Convention:

Article 1.

This Convention has two objects: the construction of an automobile road from Assab to Dessié and the concession to the Ethiopian Government of a free zone in the port of Assab. These two obligations must be jointly carried out.

Article 2.

With a view to increasing the commerce between the two countries, the Ethiopian Government shall construct the stretch of said road in Ethiopian territory from Dessié to the Italian frontier in the direction of Assab.

The Italian Government on its part shall construct the remaining part of the road from the port of Assab to the Ethiopian frontier.

The Ethiopian Government may construct the section of road in its territory at its own expense or through the medium of that Company to which it may entrust such construction by means of a contract the terms of which shall be dictated by the Ethiopian Government. Should the work be carried out by a Company, the Ethiopian Government may participate in such Company as a stockholder.

Article 3.

An Italo-Ethiopian company shall be formed for the motor transport of merchandise and passengers over the Assab-Dessié automobile road. The Ethiopian Government may furnish directly its quota of capital in the company or cause it to be subscribed in shares by others. This Italo-Ethiopian company

alone

alone shall have the concession for the transportation of merchandise and passengers over this road, and this privilege shall not be granted to other companies.

Article 4.

The Italian Government shall grant a concession to the Ethiopian Government in the port of Assab for one hundred and thirty years for a zone of land conveniently located for the landing of vessels in or outside the city, according to the selection made by the Ethiopian Government between the two zones proposed by the Italian Government.

The area of the zone shall be six thousand square meters if inside the city, and thirty thousand square meters if outside the city. The Ethiopian Government may change according to its convenience the length and width of this zone. And all this without reference to the sea.

Should the free zone selected by the Ethiopian Government prove insufficient in the future for the development of Ethiopian interests, the Italian Government will benevolently consider any eventual request on the part of the Ethiopian Government for an enlargement of the said zone.

However, if the zone selected should be that of six thousand square meters, the enlargement shall be only that which it is possible to concede in relation to the locality itself, in view of the scarcity of land available in that section.

This zone of land shall be completely demarcated by a Commission of Experts chosen by the two Governments, and its boundaries shall be properly marked.

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For this zone the Ethiopian Government shall pay annually to the Italian Government a rental of one "Tallero Maria Teresa".

The Ethiopian Government may construct in the free zone a depot for merchandise, which merchandise shall be exempt from any customs duty whatsoever, other constructions necessary to the handling of the wares, and all other buildings which are necessary; it may perform all useful work in the free zone, put it in proper condition so as to increase the financial returns which may be derived therefrom and do everything that is of convenience and of special utility.

The Ethiopian Government shall have the right to construct on the area of the depot, or connected with it by a passageway to be established, a wharf for Ethiopian use. Ships of the Ethiopian Government and merchant vessels of other countries may land at this wharf. The Ethiopian Government shall have a right of way for all that which it causes to be transported from the wharf to the above-mentioned depot, and from the depot to the point of intersection on the Italo-Ethiopian frontier of the road which is to be constructed according to the provisions of Article 2, subject to the observance of international conventions.

Article 5.

Before initiating the work for the fulfillment of the obligations contained in the present Convention, the Commission of Experts, mentioned in Article 4, shall define the following:

First: Settle in detail all questions regarding the work and expense for the following:

(a) The construction of the road, its organization, and the best method for its exploitation;

(b) The constitution of the Company for automobile transportation, the question of income and that of the obligations

which

which must be carried out by the Company;

(c) The amount necessary for the construction and the maintenance of the road;

(d) The selection of technicians and of skilled labor for the work;

(e) Taxes and customs duties to be paid in connection with the road.

Secondly: Establish local regulations, all judicial competence, and all matters connected with the application of Article 6 for the free zone.

Article 6.

Although not limiting in any way the application of Italian laws and regulations, any eventual disputes arising between the functionaries of the Ethiopian Government residing in the free zone shall be decided by local representatives of that Government, according to the rules and provisions issued by the Ethiopian Government itself.

Article 7.

The engagements of the present Convention shall become reciprocally effective when both High Contracting Parties shall have carried out their respective obligations and when the two Governments shall have approved the conclusions of the Commission of Experts.

Article 8.

The provisions of the present Convention shall remain in force for the entire duration of the concession for the free zone. However, if during this period the High Contracting Parties should consider it necessary, they may, in common accord, modify the provisions according to the possibilities and the

requirements

requirements of the moment.

Article 9.

At the expiration of this Convention, the Ethiopian Government shall have authority from the Italian Government to retain as private property, under the same conditions as are applied to all other property owners in Assab, all the property constructed by the Ethiopian Government in the free zone conceded to it in the port of Assab.

Article 10.

At the expiration of the present Convention, the two Governments may renew it if so agreed between them.

Done in duplicate in the two official languages, Italian and Amharic, the two texts being identic; one copy shall remain in the hands of the Italian Government and one copy in the hands of the Ethiopian Government.

Comm. Giuliano Cora, Minister Plenipotentiary of His Majesty the King of Italy, in the name of the Italian Government, and His Highness Maconnen Tafari, Heir to the Throne and Regent of the Ethiopian Empire, in the name of the Ethiopian Government, have signed the present Convention and affixed their seals.

ADDIS ABEBA, August 2, 1928, Year VI. (The 26th day of the month of "hamlé" of the year 1901 of Mercy).

The Heir to the Throne of Ethiopia:

(Seal) Giuliano Cora (Seal) Tafari Maconnen

Seen, by order of His Majesty the King:

For the Minister of Foreign Affairs:

GRANDI

T R A N S L A T I O N

ROYAL DECREE-LAW No. 3303 of December 9, 1928.

GIVING EXECUTION TO THE TREATY OF FRIENDSHIP, CONCILIATION, AND ARBITRATION BETWEEN THE KINGDOM OF ITALY AND THE ETHIOPIAN EMPIRE SIGNED AT ADDIS ABEBA ON AUGUST 2, 1928.

VICTOR EMMANUEL III

By the Grace of God and the Will of the People

KING OF ITALY

With reference to Articles 5 and 10 of the Constitution of the Kingdom; and to

Article 3, No. 2, of the Law No. 100 of January 31, 1926,

In view of the urgent and absolute necessity of giving execution to the Treaty of Friendship, Conciliation, and Arbitration between the Kingdom of Italy and the Ethiopian Empire signed at Addis Abeba on August 2, 1928 - Year VI;

Having consulted the Council of Ministers;

Upon the proposal of the Head of the Government, Prime Minister, Secretary of State, Minister Secretary of State for Foreign Affairs;

We have decreed the following:

Article 1.

Article 1.

Full and entire execution is given to the Treaty of Friendship, Conciliation, and Arbitration, between the Kingdom of Italy and the Ethiopian Empire, signed at Addis Abeba, August 2, 1928, Year VI.

Article 2.

The present Decree, which shall be presented to Parliament for conversion into law, shall enter into force with the exchange of ratifications of the Treaty referred to in the preceding Article.

The proposing Minister is authorized to present the relative Bill.

We order, etc.

Done at Rome, December 9, 1928, Year VII.

VICTOR EMMANUEL

Mussolini.

HIS MAJESTY VICTOR EMMANUEL III, KING OF ITALY,

and

HER MAJESTY ZAUDITÚ, EMPRESS OF ETHIOPIA,

Desire that the friendship of their two Governments shall become more close and durable and that the economic relations between the two countries shall be amplified.

To this end, Comm. Giuliano Cora, Minister Plenipotentiary of the Kingdom of Italy, in the name of His Majesty

Victor

Victor Emmanuel III and His Successors, and His Imperial Highness Tafari Maconnen, Heir to the Throne and Regent of the Ethiopian Empire, in the name of the Empress Zauditú, in His own name and in the name of Their Successors.

Have agreed upon the following:

Article 1.

There shall be constant peace and perpetual friendship between the Kingdom of Italy and the Ethiopian Empire.

Article 2.

The two Governments bind themselves reciprocally not to undertake, under any pretext, any action which might prejudice or injure the independence of the other, and to safeguard the interests of their respective countries.

Article 3.

The two Governments bind themselves to extend and make prosper the commerce existing between the two countries.

Article 4.

Italian citizens, subjects, and protegés upon establishing themselves in Ethiopia and Ethiopians upon establishing themselves in Italy and her Colonies for purposes of business and work, necessities of life and subsistence, and for all that which pertains to the exercise of their professions, of their business, and of their work, are held to the observance of and respect for the laws of the country in which they reside.

It remains understood that the provisions of Article 7 of the Treaty between the Ethiopian Empire and the French

Republic concluded January 10, 1908, shall continue to be applicable to Italian citizens, subjects, and protegés in Ethiopia as long as that Treaty remains in force.

Article 5.

The two Governments bind themselves to submit to a procedure of conciliation or arbitration the questions which may arise between them and which may not be solved through normal diplomatic channels, without having recourse to the force of arms. In common accord between the two Governments there shall be exchanged notes relative to the manner in which arbitrators shall be selected.

Article 6.

The present Treaty, which is to be registered with the League of Nations, shall be ratified and the exchange of ratifications shall take place at Addis Abeba in the shortest time possible.

Article 7.

The present Treaty shall have a duration of twenty years from the exchange of ratifications. At the expiration of this period it shall be renewable from year to year.

Done in duplicate and in identic terms in the two official Italian and Amharic languages; one of the copies shall remain in the hands of the Italian Government, and the other in the hands of the Ethiopian Government.

ADDIS ABEBA, August 2, 1928, Year VI. (The 26th day of the month of "hamlé" of the year 1901 of Mercy).

The Heir to the Throne of Ethiopia

(Seal) Giuliano Cora (Seal) Tafari Maconnen

Seen, by order of His Majesty the King,
For the Minister of Foreign Affairs,
GRANDI

Cirenaica, dal Ministro per le colonie, di concerto col Ministro predetto.

« Farà parte di diritto del Consiglio superiore della Cassa nazionale infortuni un rappresentante del Ministero delle colonie, da nominarsi con R. decreto ai sensi dell'art. 6 della convenzione annessa alla citata legge 28 marzo 1912, n. 304, su proposta del Ministro per le colonie, di concerto con quello per l'economia nazionale.

« Il detto rappresentante avrà voto deliberativo solo nelle questioni che riguardino direttamente l'azione della Cassa nelle Colonie ».

« TITOLO IV. — *Soppresso* ».

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 29 novembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI — FEDERZONI — MARTELLI.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 230. — FERZI.

Numero di pubblicazione 383.

REGIO DECRETO 24 dicembre 1928, n. 3301.

Delimitazione dei confini tra i comuni di Lu e Mirabello Monferrato.

VITTORIO EMANUELE III
PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE
RE D'ITALIA

In virtù dei poteri conferiti al Governo col R. decreto-legge 17 marzo 1927, n. 383, convertito nella legge 7 giugno 1928, n. 1382;

Sulla proposta del Capo del Governo, Primo Ministro Segretario di Stato, Ministro Segretario di Stato per gli affari dell'interno;

Abbiamo decretato e decretiamo:

I confini tra i comuni di Lu e Mirabello Monferrato sono stabiliti in conformità della pianta planimetrica vistata il 15 ottobre 1928 dall'ingegnere capo dell'ufficio del Genio civile di Alessandria.

Tale pianta, vidimata, d'ordine Nostro, dal Ministro proponente, farà parte integrante del presente decreto.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 24 dicembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI.

Visto, *il Guardasigilli*: ROCCO
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 233. — FERZI

Numero di pubblicazione 384.

REGIO DECRETO-LEGGE 9 dicembre 1928, n. 3302.

Esecuzione della Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis-Abeba il 2 agosto 1928-VI, per la costruzione di una strada automobilistica e per la concessione di una zona franca ad Assab.

VITTORIO EMANUELE III
PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE
RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'art. 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis-Abeba il 2 agosto 1928-VI, per la costruzione di una strada automobilistica, e per la concessione di una zona franca ad Assab;

Udito il Consiglio dei Ministri;

Sulla proposta del Capo del Governo, Primo Ministro Segretario di Stato, Ministro Segretario di Stato per gli affari esteri, di concerto col Ministro per le colonie;

Abbiamo decretato e decretiamo:

Art. 1.

Piena ed intera esecuzione è data alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis-Abeba il 2 agosto 1928-VI, per la costruzione, da parte del Regio Governo, di una strada automobilistica da Assab al confine etiopico, e, da parte del Governo Etiopico, di una strada automobilistica da detto confine a Dessié, e per la concessione, da parte del Regio Governo al Governo Etiopico, di una zona franca ad Assab.

Art. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore contemporaneamente al Trattato di amicizia, conciliazione ed arbitrato fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928-VI.

Il Ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI — FEDERZONI.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 233. — FERZI.

IL REGNO D'ITALIA E L'IMPERO ETIOPICO

Hanno convenuto e stipulano la seguente Convenzione:

Articolo Primo.

Questa Convenzione è fatta per due scopi: la costruzione di una strada automobilistica da Assab a Dessiè e la con-

cessione al Governo Etiopico di una zona franca nel porto di Assab. Questi due obblighi dovranno essere inseparabilmente adempiuti.

Articolo Secondo.

Allo scopo di ampliare il commercio tra i due Paesi il Governo Etiopico costruirà il tratto di detta strada in territorio etiopico da Dessiè fino al confine italiano verso Assab.

Il Governo Italiano da parte sua costruirà il rimanente tratto di strada dal porto di Assab fino al confine etiopico.

Il Governo Etiopico potrà costruire a proprie spese il tratto di strada nel suo territorio, oppure a mezzo di una Società cui esso Governo Etiopico si riserva di concedere, con atto da esso stesso definito, tale costruzione. Se i lavori saranno eseguiti a mezzo di una Compagnia, il Governo Etiopico potrà partecipare a tale Compagnia in qualità di azionista.

Articolo Terzo.

Per il trasporto delle merci e dei passeggeri con automezzi sulla strada camionabile Assab-Dessiè sarà formata una Compagnia italo-etiopica. Il Governo Etiopico potrà fornire direttamente la sua quota del capitale della Compagnia o farla sottoscrivere per azioni da altri. Soltanto questa Compagnia italo-etiopica avrà la concessione del trasporto delle merci e dei passeggeri su questa strada e ciò non verrà concesso ad altre Compagnie.

Articolo Quarto.

Nel porto di Assab il Governo Italiano darà in concessione al Governo Etiopico per anni centotrenta una zona di terreno in località conveniente all'approdo delle navi, nell'interno della città od all'esterno di essa, secondo la scelta che il Governo Etiopico farà tra le due zone propostegli da quello Italiano.

La superficie della zona sarà di seimila metri quadrati se nell'interno della città e di trentamila metri quadrati se all'esterno di essa. Il Governo Etiopico potrà mutare secondo la convenienza la lunghezza e la larghezza di questa zona. E ciò ad esclusione del mare.

Se in avvenire la zona franca prescelta dal Governo Etiopico risulti insufficiente allo sviluppo degli interessi etiopici, il Governo Italiano accoglierà benevolmente una eventuale domanda da parte del Governo Etiopico per l'aumento della detta zona.

Tuttavia, se la zona prescelta sarà quella dei seimila metri quadrati, l'aumento della estensione sarà soltanto quale risulterà possibile concedere in relazione alla località stessa, data la scarsa disponibilità di terreno in quel settore.

Questa zona di terreno sarà completamente delimitata da una Commissione di esperti scelti dai due Governi ed ai confini di essa saranno posti dei segnali.

Per tale zona concessagli il Governo Etiopico pagherà al Governo Italiano annualmente un Tallero Maria Teresa d'affitto.

Il Governo Etiopico potrà costruire nella zona franca un deposito per merci che saranno esenti da qualsivoglia dazio doganale, le altre costruzioni necessarie alla gestione dei depositi e tutte le altre case che saranno necessarie, approntarvi ogni utile lavoro, metterla in valore in modo da ampliare gli utili pecuniari che possono esserne ricavati e farvi ogni conveniente cosa o di speciale utilità.

Il Governo Etiopico avrà facoltà di costruire sull'area del deposito, od in collegamento con essa mediante un passaggio da stabilirsi, un pontile a mare ad uso dell'Etiopia. A detto pontile potranno approdare le navi del Governo Etiopico e le navi di commercio di altri Stati. Il Governo Etiopico avrà un diritto di passaggio per tutto ciò che farà transitare dal pontile al deposito su indicato e da esso al punto di intersezione del confine italo etiopico della strada che sarà costruita secondo il disposto di cui all'articolo secondo, sotto riserva dell'osservanza delle convenzioni internazionali.

Articolo Quinto.

Prima che si inizino i lavori pel compimento degli obblighi derivanti dalla presente Convenzione, la Commissione degli esperti di cui all'articolo quarto definirà quanto segue:

Primo. — Stabilirà dettagliatamente tutte le questioni circa i lavori e le spese per i lavori seguenti:

a) i lavori della strada, la sua organizzazione ed il modo di metterla in valore;

b) la costituzione della Società per i trasporti automobilistici, la questione delle entrate e quella degli obblighi che dovranno essere adempiuti dalla Compagnia;

c) quanto è necessario alla costruzione ed alla manutenzione della strada;

d) la scelta dei tecnici e degli operai specialisti per i lavori;

e) le tasse e dogane da pagare per la strada.

Secondo. — Stabilirà i regolamenti locali, tutta la competenza giudiziaria e quanto è connesso con l'applicazione dell'articolo sesto per la zona franca.

Articolo Sesto.

Pur non portando alcuna limitazione all'applicazione delle leggi e dei regolamenti italiani, le eventuali contestazioni sorte tra i funzionari del Governo Etiopico che dimorino nella zona franca potranno essere giudicate dal locale rappresentante di quel Governo, secondo norme e disposizioni emanate dallo stesso Governo Etiopico.

Articolo Settimo.

Gli impegni della presente Convenzione diventeranno reciprocamente efficienti quando le Alte Parti contraenti abbiano entrambe eseguiti i rispettivi obblighi e quando i due Governi avranno approvato le conclusioni della Commissione degli esperti.

Articolo Ottavo.

Le disposizioni della presente Convenzione avranno vigore per tutta la durata della concessione della zona franca. Tuttavia se durante questo tempo le Alte Parti contraenti lo riterranno necessario potranno d'accordo modificarne le disposizioni secondo le possibilità e le opportunità del momento.

Articolo Nono.

Allo scadere di questa Convenzione il Governo Etiopico avrà la facoltà dal Governo Italiano di conservare in proprietà privata alle condizioni degli altri proprietari terrieri di Assab tutti gli immobili da esso costruiti nella zona franca concessagli nel porto di Assab.

Articolo Decimo.

Allo scadere della presente Convenzione i due Stati contraenti potranno d'accordo rinnovarla.

Fatto in duplice copia nelle due lingue ufficiali italiano ed amarico, essendo i due testi identici; una copia resterà nelle mani del Governo Italiano ed una nelle mani del Governo Etiopico.

Il comm. GIULIANO CORA, Ministro plenipotenziario di Sua Maestà il Re d'Italia, in nome del Governo Italiano, e Sua Altezza TAFARI MACONNEN, Erede del Trono e Reggente dell'Impero Etiopico, in nome del Governo Etiopico, lo hanno firmato e sigillato coi loro sigilli.

Addis Abeba, 2 agosto 1928 - Anno VI. (Il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia).

L'Erede del Trono di Etiopia:

(*L. S.*) GIULIANO CORA (*L. S.*) TAFARI MACONNEN

Visto, d'ordine di Sua Maestà il Re:

p. *Il Ministro per gli affari esteri*:
GRANDI.

Numero di pubblicazione 385.

REGIO DECRETO-LEGGE 9 dicembre 1928, n. 3303.

Esecuzione del Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928.

VITTORIO EMANUELE III
PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE
RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'art. 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione al Trattato di amicizia, conciliazione e arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928 - Anno VI;

Udito il Consiglio dei Ministri;

Sulla proposta del Capo del Governo, Primo Ministro Segretario di Stato, Ministro Segretario di Stato per gli affari esteri;

Abbiamo decretato e decretiamo:

Art. 1.

Piena ed intera esecuzione è data al Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928 - Anno VI.

Art. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore all'atto dello scambio delle ratifiche del Trattato di cui all'articolo precedente.

Il Ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928 - Anno VII

VITTORIO EMANUELE.

MUSSOLINI.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 *gennaio* 1929 - *Anno VII*
Atti del Governo, registro 280, *foglio* 234. — FERZI.

SUA MAESTÀ VITTORIO EMANUELE III RE D'ITALIA

E

SUA MAESTÀ ZAUDITU' IMPERATRICE DI ETIOPIA

Hanno voluto che l'amicizia dei Loro due Stati divenga più salda e durevole e che le relazioni economiche tra i due Paesi vadano ampliandosi.

Perciò il comm. Giuliano Cora, Ministro plenipotenziario del Regno d'Italia, in nome di Sua Maestà Vittorio Emanuele III e Suoi Successori, e Sua Altezza Imperiale Tafari Maconnen, Erede del Trono e Reggente dell'Impero Etiopico, in nome dell'Imperatrice Zauditù, in nome Suo personale e dei Loro Successori.

Hanno convenuto quanto segue:

Articolo Primo.

Vi sarà pace costante ed amicizia perpetua tra il Regno d'Italia e l'Impero Etiopico.

Articolo Secondo.

I due Governi si impegnano reciprocamente a non compiere, sotto alcun pretesto, alcuna azione che possa nuocere o ledere l'indipendenza dell'altro, ed a salvaguardare gli interessi dei loro rispettivi Paesi.

Articolo Terzo.

I due Governi si impegnano ad ampliare ed a far prosperare il commercio esistente tra i due Paesi.

Articolo Quarto.

I cittadini, sudditi e protetti italiani al loro stabilimento in Etiopia e gli etiopici al loro stabilimento in Italia e sue Colonie, per il loro commercio ed il loro lavoro, necessità di vita e di sussistenza e per tutto ciò che riguarda l'esercizio delle loro professioni, del loro commercio e del loro lavoro sono tenuti all'osservanza ed al rispetto delle leggi dello Stato in cui dimorano.

Resta inteso che continueranno ad essere applicate ai cittadini sudditi e protetti italiani in Etiopia le disposizioni dell'articolo 7 del trattato tra l'Impero Etiopico e la Repubblica Francese concluso il 10 gennaio 1908, fino a che quest'ultimo trattato resterà in vigore.

Articolo Quinto.

I due Governi si impegnano a sottoporre ad una procedura di conciliazione o di arbitrato le questioni che sorgeranno tra di loro e che non abbiano potuto essere risolte con i normali mezzi diplomatici, senza aver ricorso alla forza delle armi. Tra i due Governi di comune accordo saranno scambiate note circa il modo di scegliere gli arbitri.

Articolo Sesto.

Il presente Trattato, da registrarsi alla Società delle Nazioni, sarà ratificato e lo scambio delle ratifiche avrà luogo ad Addis Abeba il più presto possibile.

Articolo Settimo.

Il presente Trattato avrà la durata di venti anni dallo scambio delle ratifiche. Allo spirare di tale termine esso sarà rinnovabile di anno in anno.

Fatto in duplice copia e di identico tenore nelle due lingue ufficiali italiana ed amarica; una delle copie resta nelle mani del Governo Italiano e l'altra nelle mani del Governo Etiopico.

Addis Abeba, 2 agosto 1928 - Anno VI. (Il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia).

L'Erede del trono di Etiopia:

(*L. S.*) GIULIANO CORA — (*L. S.*) TAFARI MACONNEN.

Visto, d'ordine di Sua Maestà il Re:

p. *Il Ministro per gli affari esteri*:
GRANDI.

Numero di pubblicazione 386.

REGIO DECRETO 6 dicembre 1928, n. 3181.
Riconoscimento, ai sensi del R. decreto 13 agosto 1926, n. 1907, del Consorzio di irrigazione Novepani e Caldano, in Bagnaia.

N. 3181. R. decreto 6 dicembre 1928, col quale, sulla proposta del Ministro per l'economia nazionale, viene riconosciuto, ai sensi del R. decreto 13 agosto 1926, n. 1907, il Consorzio di irrigazione Novepani e Caldano, con sede nel comune di Bagnaia, provincia di Viterbo, e n'è approvato lo statuto sociale.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 16 gennaio 1929 - Anno VII

Numero di pubblicazione 387.

REGIO DECRETO 6 dicembre 1928, n. 3182.
Riconoscimento, ai sensi del R. decreto 13 agosto 1926, n. 1907, del Consorzio di irrigazione di Caovilla, con sede in Verona.

N. 3182. R. decreto 6 dicembre 1928, col quale, su proposta del Ministro per l'economia nazionale, viene riconosciuto, ai sensi del R. decreto 13 agosto 1926, n. 1907, il Consorzio di irrigazione di Caovilla, con sede in Verona, e n'è approvato lo statuto sociale.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 16 gennaio 1929 - Anno VII

Numero di pubblicazione 388.

REGIO DECRETO 31 maggio 1928, n. 3185.
Autorizzazione alla Regia scuola di disegno per operai « Gaetano Chierici », in Reggio Emilia, ad accettare una donazione per l'istituzione del « Premio Nina Ferrari ».

N. 3185. R. decreto 31 maggio 1928, col quale, su proposta del Ministro per la pubblica istruzione, la Regia scuola di disegno per operai « Gaetano Chierici » di Reggio Emilia viene autorizzata ad accettare una donazione per la istituzione del « Premio Nina Ferrari » da assegnarsi ogni biennio all'alunno o alunna, nato da famiglia della provincia di Reggio Emilia, che abbia compiuto il corso di figura nella Scuola stessa e intenda proseguire nello studio della pittura.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 gennaio 1929 - Anno VII

Numero di pubblicazione 389.

REGIO DECRETO 20 settembre 1928, n. 3184.
Contributo scolastico del comune di Mignanego.

N. 3184. R. decreto 20 settembre 1928, col quale, sulla proposta del Ministro per la pubblica istruzione, di concerto con quello per le finanze, il contributo scolastico che il comune di Mignanego, della provincia di Genova, deve annualmente versare alla Regia tesoreria dello Stato in applicazione dell'art. 17 della legge 4 giugno 1911, n. 487, è fissato in L. 12,619.19 a decorrere dal 1° luglio 1926.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 gennaio 1929 - Anno VII

Numero di pubblicazione 390.

REGIO DECRETO 20 settembre 1928, n. 3187.
Annullamento del contributo scolastico fissato a carico del comune di San Giovanni di Galermo col R. decreto 29 marzo 1914, n. 554.

N. 3187. R. decreto 20 settembre 1928, col quale, sulla proposta del Ministro per la pubblica istruzione, di concerto con quello per le finanze, il contributo scolastico dovuto dal comune di San Giovanni di Galermo, della provincia di Catania, in applicazione dell'art. 17 della legge 4 giugno 1911, n. 487, e fissato in L. 1670.44 col R. decreto 29 marzo 1914, n. 554, è annullato a decorrere dal 28 marzo 1926.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 gennaio 1929 - Anno VII

Numero di pubblicazione 391.

REGIO DECRETO 18 ottobre 1928, n. 3188.
Annullamento dei contributi scolastici fissati a carico dei comuni di Ferrazzano, Mirabello Sannitico ed Oratino col R. decreto 1° luglio 1926, n. 1474.

N. 3188. R. decreto 18 ottobre 1928, col quale, sulla proposta del Ministro per la pubblica istruzione, di concerto con quello per le finanze, i contributi scolastici che i comuni di Ferrazzano, Mirabello Sannitico ed Oratino, della provincia di Campobasso, dovevano annualmente versare alla Regia tesoreria dello Stato in applicazione dell'art. 18 del R. decreto-legge 4 settembre 1925, n. 1722, già fissati in L. 4000 per ciascuno col R. decreto 1° luglio 1926, n. 1474, sono annullati a decorrere dal 1° luglio 1928.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 17 gennaio 1929 - Anno VII

Numero di pubblicazione 392.

REGIO DECRETO 8 novembre 1928, n. 3296.
Fusione della Cassa comunale di risparmio di Postumia con la Cassa di risparmio triestina di Trieste.

N. 3296. R. decreto 8 novembre 1928, col quale, sulla proposta del Ministro per l'economia nazionale, si provvede per la fusione della Cassa comunale di risparmio di Postumia con la Cassa di risparmio triestina di Trieste.

Visto, *il Guardasigilli*: ROCCO.
Registrato alla Corte dei conti, addì 25 gennaio 1929 - Anno VII

DOCUMENT FILE

NOTE

SEE 765.8411/3 FOR #55

FROM Abyssinia (Southard) DATED Aug.6,1928
NAME

TO

REGARDING: discussion of the Assab-Dessie road in connection with provisions of treaty of Friendship (Pacte d'Amitie) between Italy and Abyssinia, and provisions of Convention accompanying the treaty.

1—1127 GPO

BUREAU
765.8411/7

Wh

DOCUMENT FILE

NOTE

SEE 765.8411/18 FOR #127

FROM Abyssinia (Southard) DATED Jan.28,1929
TO NAME

1—1127 GPO

INDEX BUREAU
8/4154

REGARDING: departure of commission for Ethiopian Government to Assab to take up with Italian commission the delimitation of free zone and survey of road contemplated by recent Italo-Ethiopian treaty and convention.

Wh

AM RECD
DIPLOMATIC BUREAU
MAR 15 1929
FILE

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

February 10th, 1929.

FOR DISTRIBUTION - OUTSIDE
To the Secretary ✓
Interior ✓
Embassy Rome
WDRSA

Commercial Office (A-O/O)
No. 137. To Rome

DEPARTMENT OF STATE
MAR 16 1929
DIVISION OF
NEAR EASTERN AFFAIRS

INDEX
884.154/9

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to my Diplomatic Despatch No. 127 of January 28th, 1929, reporting the departure of a commission for the Ethiopian Government to Assab to take up with a corresponding Italian commission the delimitation of the free zone and survey of the road contemplated by the recent Italo-Ethiopian treaty and convention.

From various sources (including a responsible officer of the Palace) I have heard that while the Dankali tribes on the Italian side of the frontier between

884.154
765.8411/10
(765.003 Free Zone/1)
MAR 30 1929
APR 2 1929
FILED

between Assab and Dessie are quiet for the time being their brethren on the Ethiopian side have served notice that they will promptly kill any commission which appears to survey an Italian road through their territory. I am inclined to place credence in this information as it quite fits in with my knowledge of the temper of the Dankalis gained over a period of many years familiarity with this Red Sea area.

Mention of probable trouble with the Dankalis is made on page four of my original Diplomatic Despatch 765.84111/3 No. 55 of August 6th, 1928, discussing the Assab-Dessie road.

An Italian expedition headed by Baron Raimondo Franchetti and Count Ricardo Alvise Rocca which left Addis Ababa several months ago to undertake the crossing of the Dankali "bad lands" from the coast into Ethiopia and thence to Eritrea in connection with the proposed new road has, I have lately learned, been held up by hostile threats from the Dankali tribesmen.

Such news is difficult of absolute confirmation but circumstances with which I have firsthand familiarity indicate the probability of active Dankali hostility to any attempt to build a road through their desert from Assab to the Ethiopian plateau.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

No. 43

FEBRUARY 13, 1929.

FEB 13 1929

4

The Honorable

Addison E. Southard,

Minister Resident and Consul General,

Addis Ababa.

Sir:

The Department refers to the Legation's various recent despatches in regard to the Italo-Ethiopian Treaty of Friendship of August 2, 1928 and its accompanying Convention providing for the construction of a motor road from Assab, Eritrea to Dessié, Ethiopia, and as of interest in connection therewith transmits a copy of the concession agreement granted by King Menelik on March 9, 1894 for the construction of the railroad from Djibouti to Harrar. This agreement was printed in "L'Europe Nouvelle" for January 12, 1929, and is the first text of the convention that has been available to the Department.

884.154/9a

Of particular interest is the third article of the concession providing against the construction of rival railroads from the Red Sea and from the Indian Ocean into Ethiopia and from Ethiopia to the White Nile. The text of this concession was communicated by the French Government to the British and Italian Governments in connection with the agreement among the three Governments respecting Ethiopia signed at London on December 13, 1906.

Article 7 of the latter agreement provided in part as follows:

> "The French Government will endeavor to arrange that an English, an Italian, and an Abyssinian Representative

sentative shall be appointed to the Board of the French Company or Companies which may be entrusted with the construction and working of the railway from Jibuti to Adis Abeba. The British and Italian Governments will reciprocally endeavor to arrange that a French Director shall in like manner and on the same conditions be appointed to the Board of any English or Italian Company which has been or may be formed for the construction or working of railways running from any point in Abyssinia to any point in the adjoining English or Italian territory.****

It is not clear to the Department from the foregoing whether the French Government renounced that part of the concession agreement of March 9, 1894 which provided against the construction of competing lines. That such a renouncement was perhaps not made is indicated by several references in your despatches to the possibility of a railway being built from Addis Ababa to Dessié while the motor road would be built from Dessié to Assab. This might give the impression that the Ethiopian Government was unable to grant a concession for the construction of a railroad to cover the entire distance from Addis Ababa to Assab.

The Department will be glad to receive any comments on the foregoing that your investigations may warrant.

I am, Sir,

Your obedient servant,

For the Secretary of State:

NE PHA/GC

884.154/3

DOCUMENT FILE

NOTE

SEE 884.77/7 FOR letter

FROM Cardway ( ) DATED Mar 26, 1929
TO
NAME

REGARDING: possible concession for motor road construction in Abyssinia.

INDEX BUREAU
884.154/11

1—1127 ...

AM RECD

EMBASSY OF THE
UNITED STATES OF AMERICA

ROME, April 9, 1929.

No. 2231.

DEPARTMENT OF STATE
APR 26 1929
DIVISION OF
NEAR EASTERN AFFAIRS

FOR DISTRIBUTION
No
Legation Addis Ababa
Mfa

The Honorable

The Secretary of State,

Washington.

Commercial Office (A.C.O.)
No. Addis Ababa
CP

Sir:

With reference to the Embassy's confidential despatch No. 2077 of January 9, 1929, with regard to the building of an Italian motor road between Assab and Dessie, I have the honor to report that news of the Franchetti Expedition, which is exploring the resources of the regions through which the road is to pass, was published in the CORRIERE DELLA SERA of April 3rd. According to this newspaper a native courier from the expedition arrived in Assab on April 2nd and reported that the explorers had reached Lake Afreda on March 19th and that they were in excellent health.

In amplification of the above despatch, the CORRIERE DELLA SERA adds the following note:

"The

FILED
APR 30 1929

"The Franchetti Expedition, the purpose of which is to explore the Dankali district in Abyssinia for topographical reasons and with a view to ascertaining the mineral possibilities thereof, left its advanced base at Gaarre on March 5th and crossed the Ethiopian frontier two days later. It took the expedition 12 days to cover a distance westward of not more than 150 kilometers as a crow flies, but the terrain of volcanic rock of both ancient and recent origin was difficult. After having crossed the territory subject to the Sultan of the Birù, the explorers reached Lake Afreda situated immediately to the north of a mountain of the same name. This mountain is a volcano 2,225 meters high whose most recent eruption was in 1907. It is probable that the Franchetti Expedition will head southwest from Lake Afreda for the purpose of reconnoitering the vast desert zone which lies between the Birù and the Terù."

A copy of the CORRIERE DELLA SERA article is transmitted herewith.

I have the honor to be, Sir,

Your obedient servant,

Henry P. Fletcher.

Enclosure:

Copy of article from CORRIERE DELLA SERA.

Copy to E.I.C., Paris.

CORRIERE DELLA SERA

Milan.

April 3, 1929.



PM RECD

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

April 9th, 1929.

MAY 10 29

May 17, 1928

DEPARTMENT OF STATE
MAY 11 1929
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
MAY 1929
DIVISION OF
WESTERN EUROPEAN AFFAIRS

INDEX BUREAU
884.154/13

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	Yes	No
To the Field	✓	
In U. S. A		✓

No. 178.

Embassy Rome

The Honorable

The Secretary of State,

Washington.

Copy Transmitted by The Commercial Office (A.E.&F.S.) to Rome 5/21/29 CB

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MAY 22 1929 D

Sir:

I have the honor to refer to the Department's Instruction No. 43 of February 19th, 1929, File No. 884.154/10, stating that it is not clear to the Department whether the French Government ever renounced that part of the concession agreement of March 9th, 1894, which provided against the construction of competing railway lines in Ethiopia. The copy of the concession agreement which the Department stated was being sent did not arrive with the instruction hereby acknowledged. It would be useful for the Legation files.

This

This point had some time ago been discussed by the Legation with the local French Minister. His reply at the time was that he did not know that the French Government had ever renounced that particular part of the concession agreement of March 9th, 1894, but that he had written to inquire in connection with the Assab-Dessie road. No reply in the matter has yet reached him from Paris. His opinion is that the agreement is still in force and that the Italian road is in violation of it. It is his interpretation that the agreement covers not only railways but other "roads of transportation."

It is thought by the Legation unlikely that the existence of such a concession agreement as that one of 1894 had any particular bearing on limiting the Italian concession to a motor road from Assab to Dessie. As explained in various of the Legation's despatches on the Italo-Ethiopian treaty and convention there was serious difficulty in general between King Tafari and the Empress over this rapprochement with the Italians. Her Imperial Majesty not only objects to Italians but she and her party object obstinately to the construction of railways linking Ethiopia up with the frontiers of either the British or Italian colonies. On this basis alone there could hardly have been granted concession for an Italian railway from Assab.

However,

However, the motor road is so obviously the more economical and practicable for economic development that a railway could not have been considered excepting for political or strategic military purposes. It is quite improbable under the circumstances that there was any serious endeavor by the Italians to obtain a railway concession over this particular route. Their railway ambitions are generally understood to cover the route south from Eritrea directly across Ethiopia to Italian Somaliland. The Ethiopians have objected and will continue to object to such a railway for the reasons suggested in the preceding paragraph, regardless of the agreements which may exist between Britain, France and Italy.

With reference to Article 7 of the tri-partite agreement respecting Ethiopia signed at London on December 13th, 1906, quoted in the Department's instruction, it has always been understood by this Legation that there is an Italian director of the Franco-Ethiopian Railway but no British director by reason of subsequent agreement with the British Government. I have recently asked my French colleague what would be French attitude towards applying this particular agreement to the Assab-Dessie road. He replies that he is of the firm opinion that legally and morally there should be a French director appointed and has so written and recommended to Paris.

Ethiopian

Ethiopian attitude in the matter is suggested by the inclusion of a French engineer in the commission sent to Assab recently, as reported in the Legation's Despatch No. 127 of January 28th, 1929.

I have asked my Italian colleague for his opinion and he says that the agreement wouldn't apply as the Assab-Dessie route is a motor road and not a rail road. His general attitude is, of course, one of amusement that the French or any one else should even question the course of Italian activities in this, their own Ethiopian sphere of influence.

My French colleague is, however, very pessimistic over the situation. He feels that no one can honestly compete with the present particular Italian aggressiveness in Ethiopia, backed up as it is with lavish bribery and expenditure of other sort. He says also that he fears his government will sacrifice its Ethiopian interests to avoid further friction with Italy, being importantly influenced to such attitude by Ethiopian ingratitude in return for many years of French friendship and help. In his mind in this connection are the points of friction, among other existing ones, detailed in various recent despatches from this office. Among such actual or related Diplomatic Despatches are Nos. 79, 83, 84, 105, 122, 154, 158, and 164, of September 15th, October 24th, October 26th, December 4th, January 19th, February 26th, March 5th, and March 23rd, respectively. Consular Despatch No. 72 of April 2nd, 1929,

1929, detailing irregularities in letting a radio contract, will show another French grievance against both the Ethiopians and the Italians.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

No. 61

May 17, 1929

The Honorable

Addison E. Southard,

American Minister Resident and

Consul General,

Addis Ababa.

Sir:

With reference to your despatch No. 178 of April 9, 1929, in reply to the Department's instruction No. 43 of February 19, 1929, there is enclosed a copy of the concession agreement of March 9, 1894, granted to a French company by King Menelik for the construction of a railroad from Djibouti to Harrar.

You will note that the only reference in this agreement to competing lines appears in the second paragraph of Article 3, which reads as follows:

> "En conséquence, il est convenu qu'aucune autre compagnie de chemin de fer ne sera autorisée à construire des lignes concurrentes, soit des bords de l'océan Indien et de la mer Rouge jusqu'en Ethiopie, soit depuis l'Ethiopie jusqu'au Nil blanc."

It seems reasonably clear that the intent of this section was to prohibit the construction of railroad lines which would compete with the French concession. It is therefore difficult to understand upon what provision the local French Minister relies to support his contention that the concession for the proposed motor road from Assab to Dessié is in violation of the agreement of March 9, 1894.

The

The Department will be glad to receive any further comments on this matter that your investigations may warrant.

I am, Sir,

Your obedient servant,

For the Secretary of State:

W. R. CASTLE, Jr.

Enclosure:
Copy of concession agreement of March 9, 1894 for construction of a railroad from Djibouti to Harrar.

884.154/
WE FWA/MSB

CR
May 15, 1929

A true copy of the signed original.

Décret de concession, en date du 9 mars 1894, accordée par l'empereur Ménélik pour la construction d'un chemin de fer en Ethiopie.

884.154/14

Article premier.- Sa Majesté Ménélik II, roi des rois d'Ethiopie, donne à M. Alfred Ilg, ingénieur, l'autorisation de constituer, sous le nom de Compagnie Impériale d'Ethiopie, une compagnie ayant pour objet la construction et l'exploitation d'un chemin de fer allant de Djibouti à Harrar, de Harrar à Entotto et d'Entotto au Kaffa et au Nil blanc.

Art. 2. - Toute cette ligne de chemin de fer, en ce qui touche soit les études, soit les travaux à exécuter, soit les conditions diverses de construction, sera divisée en trois sections: la première de Djibouti à Harrar, la deuxième de Harrar à Entotto, la troisième d'Entotto au Kaffa et au Nil blanc.

La présente convention ne concerne que la ligne qui s'étendra de Djibouti à Harrar.

Art. 3. - La présente concession de chemin de fer aura une durée de quatre-vingt-dix-neuf ans, à partir du jour où les travaux seront terminés et où l'exploitation aura commencé. Cette stipulation s'appliquera à

chacune des sections.

En conséquence, il est convenu qu'aucune autre compagnie de chemin de fer ne sera autorisée à construire des lignes concurrentes, soit des bords de l'océan Indien et de la mer Rouge jusqu'en Ethiopie, soit depuis l'Ethiopie jusqu'au Nil blanc.

Art. 4. - Si la compagnie qui aura entrepris le chemin de fer n'a pas commencé les travaux de la ligne de Djibouti à Harrar dans le délai de deux années à dater de cette présente convention, la concession sera annulée.

Art. 5. - A partir du commencement de l'exploitation jusqu'à l'expiration de la concession, la compagnie devra entretenir le matériel du chemin de fer en bon état; sauf le cas de force majeure, il ne devra point y avoir d'interruption dans le service.

Art. 6. - La compagnie du chemin de fer établira le long de cette ligne et à ses frais un fil télégraphique et elle entretiendra les employés nécessaires à son fonctionnement. Le télégraphe construit par la compagnie sera à la disposition du gouvernement, éthiopien pour toutes les dépêches du service de l'Etat. Les dépêches des particuliers seront également reçues moyennant un prix qui sera ultérieurement fixé. Si le premier fil devient insuffisant, la compagnie en établira un second à ses frais.

Le télégraphe sera établi partout où parviendra le chemin de fer.

Art. 7. - La compagnie ne pourra charger de troupes ou de matériel de guerre, pOur les faire entrer ou sortir du pays, sans une lettre du roi des rois d'Ethiopie. Si la compagnie acceptait de semblables transports sans un ordre, elle devrait abandonner le chemin de fer au gouvernement éthiopien. Les troupes et le matériel de guerre du gouvernement éthiopien seront transportés moyennant un prix à établir, d'un commun accord entre la compagnie et le gouvernement éthiopien. Les prix pour l'empereur seront moindres que pour toute autre personne. En temps de guerre, les troupes et le matériel de guerre seront transportés gratuitement.

Art. 8. - Pour les marchandises appartenant aux particulières, la compagnie fixera elle-même ses tarifs; cependant ces tarifs ne pourront être supérieurs aux prix actuels (de transports) mais plutôt inférieurs.

Art. 9. - Les droits de douane perçus à Harrar pour le compte de S.M. n'étant jusqu'à ce jour que de 500 et ne dépassant pas un million de francs, afin de faciliter la construction du chemin de fer et d'assurer l'intérêt des capitaux engagés, S. M. le roi des rois d'Ethiopie accorde à la compagnie le privilège de prélever un droit de 10 0/0 sur toutes les marchandises montant ou descendant.

Mais ce prélèvement dont il est question dans le présent article 9 sera réduit à 5 0/0 lorsque les bénéfices nets de la compagnie atteindront 2.500.000 fr. Lorsque des bénéfices atteindront 3 millions, le prélèvement sera complètement supprimé au cas où le bénéfice net de la compagnie dépasserait annuellement 3 millions, le surplus sera partagé par moitié entre la compagnie et le gouvernement ethiopien.

Art. 10. - S. M. le roi des rois d'Ethiopie donnera l'ordre que toutes les marchandises payant des frais de transport, partant de Harrar où venant de Djibouti, soient desormais transportées par le chemin de fer.

Dans toute autre localité où pourraient arriver des marchandises, les douaniers du gouvernement, chargés de la surveillance, prélèveront le même droit sur place.

Art. 11. - S. M. le roi des rois d'Ethiopie concède à la compagnie les terrains nécessaires à l'établissement du chemin de fer sur tout le parcours de la ligne, avec les forêts, les mines et les eaux qu'ils contiennent, lesquels terrains seront mesurés et délimités. La largeur de la zone prise sur les terrains inoccupés sera de mille mètres.

Art. 12.- S. M. le roi des rois d'Ethiopie fera garder contre toute atteinte le chemin de fer et les aménagements de la voie. A cet effet, les soldats préposés à cette

garde, ainsi que leurs approvisionnements, seront transportés gratuitement.

Art. 13. -S.M. le roi des rois d'Ethiopie ne prélèvera aucun droit de douane sur les matériaux et l'outillage que la compagnie importera pour ses travaux, soit du pays même, soit de l'étranger. Tant que le chemin de fer sera entre les mains de la compagnie, tout ce qui sera nécessaire au chemin de fer, ainsi qu'il vient d'être dit, soit charbon de terre, soit toute autre marchandise importée par la compagnies, seront exempts de droits de douane.

Art. 14. - A l'expiration de cette concession, le chemin de fer, ses dépendances, ainsi que tout le matériel fixe deviendront la propriété du gouvernement éthiopien sans indemnité. Pour le matériel roulant et les approvisionnements, le gouvernement n'en prendra possession que moyennant paiement.

Art. 15. - La compagnie qui entreprendra la construction du chemin de fer donnera à S. M. Ménélik II, pour cette concession, la somme de 100.000 thalers, mais S. M. recevra pour le montant de cette somme des actions émises par la compagnie.

Addis-Abeba, le 1er Magâbit 1886 (9 mars 1894).

AM RECD

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

May 7th, 1929.

ASSISTANT SECRETARY OF STATE
DEPARTMENT OF STATE
JUN 13 1929
CONFIDENTIAL

DEPARTMENT OF STATE
JUN 1 - 1929
DIVISION OF
WESTERN EUROPEAN AFFAIRS

DEPARTMENT OF STATE
JUN 11 1929
DIVISION OF
NEAR EASTERN AFFAIRS

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Embassy Rome Italy

INDEX BUREAU
884.154/15

No. 190.

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To Rome
6/14/29 cp

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's No. 137 of February 10th, 1929, page two, in which mention is made of an Italian expedition headed by Baron Raimondo Franchetti to cross the Dankali "bad lands" from Assab to the Ethiopian plateau and thence into Eritrea.

This expedition was held up for some months and was warned by the Ethiopian Government not to tempt the belligerency of the Dankalis within its territories. Impelled perhaps by the near arrogance and bluff which is becoming characteristic of the Italians in Ethiopia the Baron Franchetti decided to make his trip in spite of the warning.

FILED
JUN 17 1929

warning. He crossed successfully that part of the Dankali desert in Eritrea and reached the edge of the Ethiopian plateau in the vicinity of Macalle. Here he was attacked by Dankalis and Gallas, all Ethiopian subjects, with the reported result that fifteen of the attackers were killed. Franchetti lost two men, according to the reports.

As the Baron was accompanied by a guard of Ethiopian soldiers who participated in the fight against the Dankalis and Gallas the central government here does not appear to place any particular blame on the Italians. At least such is the attitude of King Tafari. Doubtless the party of the Empress will make considerable capital out of the incident in view of their well known antipathy towards the Italians in general and towards King Tafari's Italian policy in particular.

My Italian colleague was asked about the incident and readily admitted that such had occurred. He appeared to take considerable pride in the report that Franchetti had killed fifteen of the attackers and lost only two of his own men. His statement to me was that King Tafari had authorized Baron Franchetti to repel with force any attacks made on him in Ethiopian territory. This I doubt very much and is not borne out by my subsequent conversation with the Minister of Foreign Affairs. The latter appears to take no serious view

of

of the incident but does hold the attitude that Baron Franchetti asked for trouble and got it.

The peculiar feature of the whole affair is that the Ethiopians have so far taken it quite calmly. That they do is but another evidence of the growing power and influence of King Tafari. There is no definite indication that the attack on Franchetti grew out of the Italophobia endemic, so to speak, in this country. The Ethiopians have for many months been having more or less acute trouble with their Dankali subjects all the way from the French railway north to Eritrea proper. Considerable fighting has occurred. It is assumed that Franchetti passed into one of the hostile areas and as he had Ethiopian soldiers with him was attacked as a matter of course. The possible motive of xenophobia has not yet been suggested.

Baron Franchetti's expedition was undertaken in connection with the Italian effort to explore the Dankali desert with a view to finding possibilities for economic developments to justify and feed the proposed Assab-Dessie road. His findings will, of course, be kept highly confidential.

I have thehonor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

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AM RECD

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

May 13th, 1929.

DEPARTMENT OF STATE
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ASSISTANT SECRETARY OF STATE

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DEPARTMENT OF STATE
JUN 11 1929
DIVISION OF
NEAR EASTERN AFFAIRS

No. 192.

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Communications Office (A-0/C)
To Rome
6/14/29
cfg.

The Honorable

The Secretary of State,

Washington.

Sir:

765.84A11/18

I have the honor to refer to the Legation's No. 127 of January 28th, 1929, reporting the departure from Addis Ababa for Assab of a commission to enter into negotiations with an Italian commission for the delimitation of the Ethiopian free zone at Assab and construction of the road from that port to Dessie as provided for in the Italo-Ethiopian treaty and convention signed at Addis Ababa on August 2nd, 1928.

The commission, consisting of one Ethiopian, and of two Russians and one Frenchman employed by the Ethiopian Government, has returned to Addis Ababa without having

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having accomplished the agreement intended.

According to the best information available the Frenchman (an engineer) on the commission was able on the basis of technical objections to break up the meeting at Assab. This he is said to have been inspired to do by secret instructions from the local French Legation in order to obstruct or delay any active steps leading to the beginning of the Assab-Dessie road. He is reported to have quarrelled with the two Russians (Chimansky and Voronovsky) on the basis of their extreme pro-Italianism which, according to La Rivière, caused them to advocate sacrificing Ethiopian interests. The Legation has heard at various times through local channels of gossip that both Chimansky and Voronovsky are in Italian pay. From a source believed authentic the Legation learns that La Rivière sent a telegram from Assab to King Tafari of which a translation is freely as follows:

> "Members of the Commission are making arrangements to favor the Italians in their construction plans. These plans are inimical to Ethiopian interests. They turn everything over to the Italians. Give me full powers to conduct affairs in the interest of Ethiopia."

The King upon receipt of this telegram ordered the return of the Commission and it is now back in Addis Ababa. There is no intimation as to what the next step may be. Obviously there is a state of friction, possibly engineered by the French, which will hold up for a

time

time at least the carrying out of the terms of the Italo-Ethiopian convention.

As may be noted in its various despatches, this Legation has not taken an optimistic view as to the possibility of a prompt execution of the Assab-Dessie project. It seems likely that this failure of the commission will very considerably delay work at the Assab end. The Ethiopian Government is at present working on a dirt motor road from Addis Ababa to Dessie which will not be of use during the rainy season. This road, however, has two purposes. It could link up with the Italian project from Assab to Dessie and, according to information obtained by the Legation from the Ethiopian Minister of Foreign Affairs, it is the first link in a road to Lake Tsana which may be built by the White Engineering Corporation if the plans of the latter for a concession for the Tsana Dam have a successful issue.

It is probable that more information will be available in a few days in connection with the failure of the negotiations at Assab.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

EMBASSY OF THE
UNITED STATES OF AMERICA

ROME, May 29, 1929.

No. 2310.

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FILED
JUN 18 1929

The Honorable

The Secretary of State,

Washington.

Sir:

884.154/16

With reference to my despatch No. 2127 of February 5, 1929, transmitting a copy of Royal Decree Laws Nos. 3302 and 3303 giving execution respectively to the Italo-Abyssinian motor road convention and the Italo-Abyssinian treaty of friendship, conciliation, and arbitration, I have the honor to transmit herewith copies of Mussolini's Reports to the Chamber of Deputies on the conversion into law of the above-mentioned decrees.

I have the honor to be, Sir,

Your obedient servant,

Henry P. Fletcher.

Enclosures:
As above.

CAMERA DEI DEPUTATI N. 59

DISEGNO DI LEGGE

PRESENTATO DAL CAPO DEL GOVERNO, PRIMO MINISTRO SEGRETARIO DI STATO

MINISTRO DEGLI AFFARI ESTERI E DELLE COLONIE

(MUSSOLINI)

—

Conversione in legge del Regio decreto-legge 9 dicembre 1928, n. 3302, che dà esecuzione alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis Abeba il 2 agosto 1928, per la costruzione di una strada automobilistica e per la concessione al Governo Etiopico di una zona franca ad Assab

Presentato alla Presidenza il 21 aprile 1929 - Anno VII

ONOREVOLI CAMERATI ! — Il 2 agosto 1928, contemporaneamente al Trattato di amicizia, conciliazione ed arbitrato, veniva firmato in Addis Abeba, fra il Regno d'Italia e l'Impero Etiopico, una Convenzione per la costruzione di una strada automobilistica da Assab a Dessié e per la concessione al Governo Etiopico di una zona franca nel porto di Assab.

Il nuovo ritmo impresso dal Governo Fascista alla vita delle nostre colonie dell'Africa Orientale ha trovato rispondenza nei progressi che l'Impero Etiopico va compiendo nei molteplici campi del suo sviluppo: la vicinanza, che di quelle nostre colonie fa i naturali sbocchi dell'impero confinante, ha determinato la necessità di intensificare sempre più i traffici fra i due Paesi. A questo scopo appunto tende la Convenzione di cui si tratta.

Tale Convenzione, come è detto nell'articolo 1, stabilisce la costruzione di una strada automobilistica da Assab a Dessié e la concessione al Governo Etiopico di una zona franca nel porto di Assab, nella intesa che questi due obblighi dovranno essere inseparabilmente adempiuti. Il tratto di detta strada in territorio etiopico, da Dessié fino al confine italiano verso Assab, sarà costruito dal Governo etiopico ed il rimanente tratto, da tale confine al porto di Assab, sarà costruito dal Governo Italiano. Sono state poi fissate norme relative alla costruzione della strada ed al servizio dei trasporti. L'articolo 4 riguarda la zona franca e l'articolo 5 determina i compiti della Commissione degli esperti prevista dall'articolo 4. L'articolo 6 si riferisce alle contestazioni che eventualmente sorgessero fra i funzionari del Governo Etiopico dimoranti nella zona franca e l'articolo 7 stabilisce quando gli impegni delle Alte parti contraenti diventeranno reciprocamente efficienti. Seguono infine, negli articoli 8, 9 e 10, disposizioni relative alla durata della Convenzione, alla possibilità di modifiche, alla sua scadenza ed all'eventuale rinnovo.

Come si è già accennato, la costruzione della strada tende ad incanalare verso il porto di Assab il commercio delle regioni dell'Abissinia settentrionale ed a favorire quindi lo sviluppo di tali regioni. La concessione poi della

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TO THE INDEX BUREAU

zona franca ad Assab, mentre permette all'Impero Etiopico uno sbocco sul mare e sempre nuovi contatti con la civiltà mediterranea, è destinata ad aumentare il movimento e l'importanza di quel nostro porto. Sono quindi evidenti i reciproci vantaggi che la Convenzione mira ad assicurare ad ambedue le Parti contraenti.

Onorevoli camerati! L'Italia, che vuole portare tutto il contributo delle sue energie rinnovellate ovunque ferva pacifica opera di progresso, contemporaneamente al Trattato d'amicizia, conciliazione ed arbitrato, ha firmato con l'Impero Etiopico la Convenzione stradale che viene ora sottoposta al vostro esame e che entrerà in vigore contemporaneamente al Trattato anzidetto. Meglio così appare il collegamento fra la Convenzione ed il Trattato, il cui articolo 3 stabilisce che « i due Governi si impegnano ad ampliare ed a far prosperare il commercio esistente tra i due Paesi ».

In vista dell'urgenza di dare esecuzione alla Convenzione di cui si tratta, si è ritenuto di provvedervi mediante un Regio decreto-legge (Regio decreto-legge 9 dicembre 1928, n. 3302), che occorre ora convertire in legge. A tale conversione mira appunto il seguente disegno di legge, al quale confido vorrete dare i vostri suffragi.

DISEGNO DI LEGGE

ARTICOLO UNICO.

E' convertito in legge il Regio decreto-legge 9 dicembre 1928, n. 3302, che dà esecuzione alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis Abeba il 2 agosto 1928, per la costruzione, da parte del Regio Governo, di una strada automobilistica da Assab al confine etiopico, e, da parte del Governo Etiopico, di una strada automobilistica da detto confine a Dessié, e per la concessione, da parte del Regio Governo al Governo Etiopico, di una zona franca ad Assab.

Regio decreto-legge 9 dicembre 1928, n. 3302, pubblicato nella Gazzetta Ufficiale *n. 23 del 28 gennaio 1929.*

VITTORIO EMANUELE III

PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE

RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'articolo 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione alla Convenzione fra il Regno d'Italia e l'impero Etiopico, firmata in Addis Abeba il 2 agosto 1928, per la costruzione di una strada automobilistica, e per la concessione di una zona franca ad Assab;

Udito il Consiglio dei ministri;

Sulla proposta del Capo del Governo, Primo ministro segretario di Stato; ministro segretario di Stato per gli affari esteri, di concerto col ministro per le colonie;

Abbiamo decretato e decretiamo:

ART. 1.

Piena ed intera esecuzione è data alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis Abeba il 2 agosto 1928, per .la costruzione, da parte del Regio Governo, di una strada automobilisticà da Assab al confine etiopico, e, da parte del Governo etiopico, di una strada automobilistica da detto confine a Dessiè, e per la concessione, da parte del Regio Governo al Governo etiopico, di una zona franca ad Assab.

ART. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore contemporaneamente al Trattato di amicizia, conciliazione ed arbitrato fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis Abeba il 2 agosto 1928.

Il ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928 – Anno VII.

VITTORIO EMANUELE.

MUSSOLINI — FEDERZONI.

Visto, *il Guardasigilli:* ROCCO.

IL REGNO D'ITALIA E L'IMPERO ETIOPICO

Hanno convenuto e stipulano la seguente convenzione:

ARTICOLO PRIMO.

Questa Convenzione è fatta per due scopi: la costruzione di una strada automobilistica da Assab a Dessiè e la concessione al Governo Etiopico di una zona franca nel porto di Assab. Questi due obblighi dovranno essere inseparabilmente adempiuti.

ARTICOLO SECONDO.

Allo scopo di ampliare il commercio tra i due Paesi il Governo Etiopico costruirà il tratto di detta strada in territorio etiopico da Dessiè fino al confine italiano verso Assab.

Il Governo italiano da parte sua costruirà il rimanente tratto di strada dal porto di Assab fino al confine etiopico.

Il Governo etiopico potrà costruire a proprie spese il tratto di strada nel suo territorio, oppure a mezzo di una Società cui esso Governo etiopico si riserva di concedere, con atto da esso stesso definito, tale costruzione. Se i lavori saranno eseguiti a mezzo di una Compagnia, il Governo etiopico potrà partecipare a tale Compagnia in qualità di azionista.

ARTICOLO TERZO.

Per il trasporto delle merci e dei passeggeri con automezzi sulla strada camionabile Assab-Dessiè sarà formata una Compagnia italo-etiopica. Il Governo etiopico potrà fornire direttamente la sua quota del capitale della Compagnia o farla sottoscrivere per azioni da altri. Soltanto questa Compagnia italo-etiopica avrà la concessione del trasporto delle merci e dei passeggeri su questa strada e ciò non verrà concesso ad altre Compagnie.

ARTICOLO QUARTO.

Nel porto di Assab il Governo italiano darà in concessione al Governo etiopico per anni centotrenta una zona di terreno in località conveniente all'approdo delle navi, nell'interno della città od all'esterno di essa, secondo la scelta che il Governo etiopico farà tra le due zone propostegli da quello italiano.

La superficie della zona sarà di seimila metri quadrati se nell'interno della città e di trentamila metri quadrati se allo esterno di essa. Il Governo etiopico potrà mutare secondo la convenienza la lunghezza e la larghezza di questa zona. E ciò ad esclusione del mare.

Se in avvenire la zona franca prescelta dal Governo etiopico risulti insufficiente allo sviluppo degli interessi etiopici, il Governo italiano accoglierà benevolmente una eventuale domanda da parte del Governo etiopico per l'aumento della detta zona.

Tuttavia se la zona prescelta sarà quella dei seimila metri quadrati, l'aumento della estensione sarà soltanto quale risulterà possibile concedere in relazione alla località stessa, data la scarsa disponibilità di terreno in quel settore.

Questa zona di terreno sarà completamente delimitata da una Commissione di esperti scelti dai due Governi ed ai confini di essa saranno posti dei segnali.

Per tale zona concessagli il Governo etiopico pagherà al Governo italiano annualmente un tallero Maria Teresa d'affitto.

Il Governo etiopico potrà costruire nella zona franca un deposito per merci che saranno esenti da qualsivoglia dazio doganale, le altre costruzioni necessarie alla gestione dei depositi e tutte le altre case che saranno necessarie, approntarvi ogni utile lavoro, metterla in valore in modo da ampliare gli utili pecuniari che possono esserne ricavati e farvi ogni conveniente cosa o di speciale utilità.

Il Governo etiopico avrà facoltà di costruire sull'area del deposito, od in collegamento con essa mediante un passaggio da stabilirsi, un pontile a mare ad uso dell'Etiopia. A detto pontile potranno approdare le navi del Governo etiopico e le navi di commercio di altri Stati. Il Governo etiopico avrà un diritto di passaggio per tutto ciò che farà transitare dal pontile al deposito su indicato e da esso al punto di intersezione del confine italo-etiopico della strada che sarà costruita secondo il disposto di cui all'Articolo secondo, sotto riserva dell'osservanza delle convenzioni internazionali.

ARTICOLO QUINTO.

Prima che si inizino i lavori pel compimento degli obblighi derivanti dalla presente convenzione, la Commissione degli esperti di cui all'Articolo quarto definirà quanto segue:

Primo: Stabilirà dettagliatamente tutte le questioni circa i lavori e le spese per i lavori seguenti:

a) I lavori della strada. la sua organizzazione ed il modo di metterla in valore.

b) La costituzione della Società per i trasporti automobilistici, la questione delle entrate e quella degli obblighi che dovranno essere adempiuti dalla Compagnia.

c) Quanto è necessario alla costruzione ed alla manutenzione della strada.

d) La scelta dei tecnici e degli operai specialisti per i lavori.

e) Le tasse e dogane da pagare per la strada.

Secondo: Stabilirà i regolamenti locali, tutta la competenza giudiziaria e quanto è connesso con l'applicazione dell'articolo sesto per la zona franca.

ARTICOLO SESTO.

Pur non portando alcuna limitazione all'applicazione delle leggi e dei regolamenti italiani, le eventuali contestazioni sorte tra i funzionari del Governo etiopico che dimorino nella zona franca potranno essere giudicate dal locale rappresentante di quel Governo, secondo norme e disposizioni emanate dello stesso Governo etiopico.

ARTICOLO SETTIMO.

Gli impegni della presente Convenzione diventeranno reciprocamente efficienti quando le Alte Parti contraenti abbiano entrambe eseguiti i rispettivi obblighi e quando i due Governi avranno approvato le conclusioni della Commissione degli esperti.

ARTICOLO OTTAVO.

Le disposizioni della presente Convenzione avranno vigore per tutta la durata della concessione della zona franca. Tuttavia se durante questo tempo le Alte Parti contraenti lo riterranno necessario potranno d'accordo modificarne le disposizioni secondo le possibilità e le opportunità del momento.

ARTICOLO NONO.

Allo scadere di questa Convenzione il Governo etiopico avrà la facoltà dal Governo italiano di conservare in proprietà privata alle condizioni degli altri proprietari terrieri di Assab tutti gli immobili da esso costruiti nella zona franca concessagli nel porto di Assab.

ARTICOLO DECIMO.

Allo scadere della presente convenzione i due Stati contraenti potranno d'accordo rinnovarla.

FATTO in duplice copia nelle due lingue ufficiali italiano ed amarico, essendo i due testi identici; una copia resterà nelle mani del Governo italiano ed una nelle mani del Governo etiopico.

Il Comendatore GIULIANO CORA, Ministro Plenipotenziario di SUA MAESTA' IL RE DI ITALIA, in nome del Governo italiano, e SUA ALTEZZA TAFARI MACONNEN, Erede del Trono e Reggente dell'Impero etiopico, in nome del Governo Etiopico, lo hanno firmato e sigillato coi loro sigilli.

Addis Abeba 2 agosto 1928 –Anno VI (il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia).

L'Erede del Trono di Etiopia

(*L. S.*) GIULIANO CORA.

(*L. S.*) TAFARI MACONNEN.

Visto, d'ordine di Sua Maestà il Re:

p. *Il Ministro degli Affari esteri*

GRANDI.

CAMERA DEI DEPUTATI N. 60

DISEGNO DI LEGGE

PRESENTATO DAL CAPO DEL GOVERNO, PRIMO MINISTRO SEGRETARIO DI STATO
MINISTRO DEGLI AFFARI ESTERI
(MUSSOLINI)

Conversione in legge del Regio decreto-legge 9 dicembre 1928, n. 3303, che dà esecuzione al Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis Abeba il 2 agosto 1928

Presentato alla Presidenza il 21 aprile 1929 - Anno VII

ONOREVOLI CAMERATI ! — I sentimenti di cordiale amicizia e di simpatia che reciprocamente animano i Governi Italiano ed Etiopio e la vicinanza delle nostre colonie dell'Africa Orientale a quell'Impero dovevano far sentire da ambo le parti vivo il bisogno di suggellare con un Patto le buone relazioni fra i due Stati. Nella primavera del 1927, Sua Altezza Reale il Duca degli Abruzzi, Augusto ambasciatore della nostra amicizia, trovò, presso la Corte Etiopica, perfetta risonanza di sentimenti e di vedute. E quindi in un'atmosfera di reciproca fiducia sgombra da qualsiasi nube, si potettero in seguito raggiungere quegli accordi che, negli intendimenti dei due Governi, devono unire i due Stati verso le comuni vie del pacifico progresso. Il 2 agosto 1928, fu firmato in Addis Abeba dal plenipotenziario di Sua Maestà il Re d'Italia e da Sua Altezza Imperiale il Negus Tafari un Trattato di amicizia, conciliazione ed arbitrato.

Le Alte parti contraenti, dopo aver affermato che vi sarà pace costante ed amicizia perpetua fra i due Stati, si impegnano a non compiere alcuna azione che possa nuocere o ledere l'indipendenza dell'altra e a far prosperare il commercio fra i due Paesi. L'articolo 4 riafferma l'osservanza ed il rispetto delle leggi italiane ed etiopiche per gli etiopi e gli italiani che dimorano rispettivamente in Italia e nelle Colonie italiane e in Etiopia. Nell'articolo 5 poi è sancito l'impegno di sottoporre ad una procedura di conciliazione o di arbitrato le questioni che potessero sorgere fra le Parti e che non avessero potuto essere risolte con i normali mezzi diplomatici.

Tale Trattato, cui serve di complemento la Convenzione stradale che è stata firmata pure il 2 agosto 1928 e che viene presentata al vostro esame con apposito disegno di legge, rinsalda gli amichevoli rapporti, già da tempo esistenti, tra l'Italia e l'Etiopia, e mira ad assicurare al commercio dei due Stati un incremento sempre più notevole. Esso meglio avvicina la nuova Italia all'Impero Etiopico, che, sotto la guida energica e prudente del Negus Tafari, sta compiendo importanti progressi in ogni campo di attività.

Onorevoli camerati! In vista dell'urgenza di dare esecuzione al Trattato in esame, è sembrato opportuno provvedervi a mezzo del Regio decreto-legge 9 dicembre 1928, n. 3303. Alla conversione appunto di tale Regio decreto-legge tende il seguente disegno di legge, al quale confido vorrete dare la vostra approvazione.

THIS ITEM MUST BE RETURNED
TO THE INDEX BUREAU

DISEGNO DI LEGGE

ARTICOLO UNICO.

E' convertito in legge il Regio decreto-legge 9 dicembre 1928, n. 3303, che dà esecuzione al Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis Abeba il 2 agosto 1928.

Regio decreto-legge 9 dicembre 1928, n. 3303, pubblicato nella Gazzetta Ufficiale *n. 23 del 28 gennaio 1929.*

VITTORIO EMANUELE III

PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE

RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'articolo 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione al Trattato di amicizia, conciliazione e arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928, Anno VI;

Udito il Consiglio dei ministri;

Sulla proposta del Capo del Governo, Primo Ministro segretario di Stato, Ministro segretario di Stato per gli affari esteri;

Abbiamo decretato e decretiamo:

ART. 1.

Piena ed intera esecuzione è data al Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928, Anno VI.

ART. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore all'atto dello scambio delle ratifiche del Trattato di cui all'articolo precedente.

Il ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928 – Anno VII.

VITTORIO EMANUELE.

MUSSOLINI.

Visto, *il Guardasigilli:* ROCCO.

SUA MAESTÀ VITTORIO EMANUELE III RE D'ITALIA

E

SUA MAESTÀ ZAUDITÙ IMPERATRICE DI ETIOPIA

Hanno voluto che l'amicizia dei Loro due Stati divenga più salda e durevole e che le relazioni economiche tra i due Paesi vadano ampliandosi.

Perciò il Commendator GIULIANO CORA, Ministro Plenipotenziario del Regno d'Italia, in nome di SUA MAESTÀ VITTORIO EMANUELE TERZO e Suoi Successori, e SUA ALTEZZA IMPERIALE TAFARI MACONNEN, Erede del Trono e Reggente dell'Impero Etiopico, in nome dell'IMPERATRICE ZAUDITÙ, in nome Suo personale e dei Loro Successori,

Hanno convenuto quanto segue:

ARTICOLO PRIMO.

Vi sarà pace costante ed amicizia perpetua tra il Regno d'Italia e l'Impero Etiopico.

ARTICOLO SECONDO.

I due Governi si impegnano reciprocamente a non compiere, sotto alcun pretesto, alcuna azione che possa nuocere o ledere l'indipendenza dell'altro, ed a salvaguardare gli interessi dei loro rispettivi Paesi.

ARTICOLO TERZO.

I due Governi si impegnano ad ampliare ed a far prosperare il commercio esistente tra i due Paesi.

ARTICOLO QUARTO.

I cittadini, sudditi e protetti italiani al loro stabilimento in Etiopia e gli etiopici al loro stabilimento in Italia e sue Colonie, per il loro commercio ed il loro lavoro, necessità di vita e di sussistenza e per tutto ciò che riguarda l'esercizio delle loro professioni, del loro commercio e del loro lavoro sono tenuti all'osservanza ed al rispetto delle leggi dello Stato in cui dimorano.

Resta inteso che continueranno ad essere applicate ai cittadini sudditi e protetti italiani in Etiopia le disposizioni dell'articolo 7 del trattato tra l'Impero Etiopico e la Repubblica Francese concluso il 10 gennaio 1908, fino a che quest'ultimo trattato resterà in vigore.

ARTICOLO QUINTO.

I due Governi si impegnano a sottoporre ad una procedura di conciliazione o di arbitrato le questioni che sorgeranno tra di loro e che non abbiano potuto essere risolte con i normali mezzi diplomatici, senza aver ricorso alla forza delle armi. Tra i due Governi di comune accordo saranno scambiate note circa il modo di scegliere gli arbitri.

ARTICOLO SESTO.

Il presente trattato da registrarsi alla Società delle Nazioni, sarà ratificato e lo scambio delle ratifiche avrà luogo ad Addis Abeba il più presto possibile.

ARTICOLO SETTIMO.

Il presente trattato avrà la durata di venti anni allo scambio delle ratifiche. Allo spirare di tale termine esso sarà rinnovabile di anno in anno.

Fatto in duplice copia e di identico tenore nelle due lingue ufficiali italiana ed amarica, una delle copie resta nelle mani del Governo Italiano e l'altra nelle mani del Governo Etiopico.

Addis Abeba 2 agosto 1928 – Anno VI. (Il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia)

L'Erede del Trono di Etiopia

(*L. S.*) GIULIANO CORA. (*L. S.*) TAFARI MACONNEN.

Visto, d'ordine di Sua Maestà il Re:

p. *Il ministro degli affari esteri*

GRANDI.

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

May 16th, 1929.

DEPARTMENT OF STATE
JUN 30 1929
DIVISION OF
WESTERN EUROPEAN AFFAIRS

FOR DISTRI...
Copy Transmitted by the [redacted]
Embassy Rome
6/28/29

INDEX BUREAU
884.154/88

No. 195.

DEPARTMENT OF STATE
JUN 29 1929
DIVISION OF
EASTERN AFFAIRS

The Honorable

The Secretary of State,

Washington.

Sir:

884.154/16

I have the honor to refer to the Legation's No. 192 of May 13th, 1929, reporting the adjournment and return to Addis Ababa of the commission sent by the Ethiopian Government to arrange with the Italians the delimitation of the Ethiopian free zone at Assab and the route for the road to be constructed from Assab to Dessie.

The above despatch reported friction resulting from probable French intrigue as causing the adjournment of the commission. The Legation has now been able to obtain from other sources the Italian version of the reason for adjournment which is that the weather at Assab became

too

FILED
JUN 29 1929

too hot for comfort and certain water holes on the Assab-Dessie route depended upon for the survey party had in the meantime dried up. The Italians say that in September or October after the weather gets a bit cooler, and the summer rains shall have replenished the water holes, a new meeting of the commission will occur.

From other information available, mainly of circumstantial character, the Legation is inclined to consider the Italian reasons as constituting a temporary and graceful explanation to cover the adjustment or unravelling of difficulties at least related to those reported in Despatch No. 192/16 Difficulties of the sort indicated, if actually and obstinately existing, would cause delays very bitter to Italian pride in their imagined role as leaders in the foreign economic development of Ethiopia. However, there are so many cross currents of gossip and so many people who ought to know the facts but whose views are perverted by preconceived ideas and wishes that neutral and accurate versions of events in Ethiopia are most elusive.

We do have as a fact that the commission has adjourned and returned to Addis Ababa without having completed the business for which it went to Assab. No one on the commission or connected with it appears either happy or satisfied. If the weather at Assab was to blame then there was mighty poor judgment exercised in

sending

sending the commission off at this time of year. Every one knows about Assab and Djibouti weather and its near approach in torridity during most months of the year to the less favored of the two regions into which popular reckoning divides the hereafter. The commission couldn't have expected other than the conditions of weather and water supply which the Italians say caused the adjournment. But it nevertheless went off to do the work.

However, there is hereby placed before the Department the second of the two most current versions of the cause of the adjournment and return to Addis Ababa, with its work not done, of the Assab commission.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

DOCUMENT FILE

NOTE

SEE 848x.6371/1 FOR Report #-

FROM Addis Ababa (Park) DATED May 13,1929

TO NAME

1—1127 o.p.o

INDEX BUREAU
884.154/19

REGARDING: Proposed roads into Ethiopia. A large British firm with headquarters at Djibouti and brances in Ethiopia and British Somaliland, annpounces its intention to build a system of motor roads linking British Somaliland with the rich Harrar province.

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U.S. DEPT. OF STATE
JUL 1 29

LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

May 30th, 1929.

DEPARTMENT OF STATE
JUL -2 1929
DIVISION OF
NEAR EASTERN AFFAIRS

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884.154/20
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To
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No. 200.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to an article published on Page 213 of COMMERCE REPORTS for the week April 22nd, 1929, entitled "Road from Ethiopia to the Port of Assab, Eritrea," by Commercial Attaché Mowatt M. Mitchell, Rome, Italy. Other related articles have previously been published in COMMERCE REPORTS.

Beginning with a Consular Report of August 18th, 1926, entitled "A Proposed New Ethiopian Trade Route" there have been a number of contributions from this office on the same general subject of Mr. Mitchell's published article in COMMERCE REPORTS. The findings

of

of this office, obtained on the ground and based upon a dozen years study and experience of the writer in this Red Sea area, do not lead definitely as yet to various of Mr. Mitchell's impressions. The suggestion is, therefore, respectfully offered that the Bureau of Foreign and Domestic Commerce may find of interest the material submitted to the Department from this office.

It is evident here that the Italians are inclined to give to their Assab-Dessie concession and its potentialities a great deal more importance than is warranted by local conditions and possibilities. Naturally Mr. Mitchell, being in Rome, would obtain more or less the Italian inspiration. Such would be most difficult for him to avoid. From that thought arises my suggestion that a more neutral view might be obtained by the Bureau of Foreign and Domestic Commerce should it have opportunity to consider also certain of the reports and despatches on the general subject from this office.

This office is inclined to the view that expansion in the international mind of the greatness of Italian accomplishments in relations with Ethiopia might be — and is probably intended — at the expense of the other national interests wishing to participate in the economic and social progress of this richest remaining portion of the undeveloped part of Africa. Our own American interests could be unfavorably affected in that sense, perhaps at first only psychologically but eventually in a material way. The Department has during

the

the past year received a number of political despatches from this office which set forth in some detail what might be called the possessive attitude of the Italians towards Ethiopian development, their disposition to exaggerate in such respects, and their inclination to regard in the nature of an "intrusion" our own recently begun efforts to benefit in an economic way from the possibilities offered in this country.

There is intended no suggestion that the weekly COMMERCE REPORTS should not publish, from any source available, full and accurate news of economic developments in Ethiopia as elsewhere over the world. A leading thought upon which this despatch is based is that the Bureau of Foreign and Domestic Commerce would, however, wish to interpret information from Italian sources in the light of the perhaps more neutral and certainly more nearly firsthand data available from here. It may be that the Bureau has already had opportunity to consider the reports from this office. If so there is nothing more to be said. This office believes, however, that it has the duty of presenting the point of view indicated when there is taken into consideration that possible American accomplishments here might derive assistance from such conservatism as may appropriately be attained in American advertising of Italian accomplishment.

Emphasis should also be placed upon the absence of any desire herein to imply criticism of Mr. Mitchell.

He

He naturally reports on such matters as he sees and learns of them in Rome. He may be eminently correct in all he writes but local opinion would hardly subscribe to, say, his statement that the Italian plans "will give Assab and the Italian interests there a predominating place in the foreign trade of Ethiopia, both import and export." The one and only purpose of this office is to bring before the Department local viewpoint and its possible importance to the eventual development of American interests in Ethiopia. Such we have endeavored confidentially to do in this despatch.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

4 Carbon Copies

Received ...JUL 1...

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EMBASSY OF THE

UNITED STATES OF AMERICA

ROME, June 14, 1929.

No. 2341.

JUL - 8 23 [illegible]

DEPARTMENT OF STATE

JUL 1929

DIVISION OF NEAR EASTERN AFFAIRS

FOR DISTRIBUTION - CHECK
To the Field
In U. S. A.

The Honorable

The Secretary of State,

Washington.

Sir:

884.154/12

With reference to my despatch No. 2231 of April 9, 1929, concerning the progress of the Franchetti Expedition in connection with the building of an Italian motor road between Assab in Italian Somaliland, and Dessie in Abyssinia, I have the honor to transmit herewith a copy of a radio despatch from Assab, dated June 9th, signed by Baron Franchetti himself, as well as a copy of a written despatch by another member. Both these articles which were published in the CORRIERE DELLA SERA of June 11th and 15th respectively, contain accounts of the difficulties that the expedition encountered.

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884.154/21

It is intimated in the above radio despatch that the illness of Engineer Maglione who, it is stated, was physically unable to continue the trip, was the cause of the return of the Expedition to Assab. However, according to Colonel Nation, the British Military Attaché in Rome, who is familiar with the situation in Abyssinia, Baron Franchetti and his expedition returned to civilization at the instance of Italian officials who became anxious because of the reported ferocity of the native tribes of the regions through which the Expedition was expected to pass. This would appear to check with the information contained in Minister Southard's despatch No. 137/110 of February 10, 1929 from Addis Ababa.

I have the honor to be, Sir,

Your obedient servant,

Henry P. Fletcher.

Enclosures: ✓

Clippings from CORRIERE DELLA SERA
of June 11th and June 15th, 1929.

Copy to E.I.C., Paris.

"Come ritrovai i resti gloriosi di Giulietti,,

Il racconto radiotelegrafico del barone Franchetti

(Servizio particolare del " Corriere della Sera,,)



Assab, 9 giugno.

Dopo aver attraversato interamente il deserto dancalo settentrionale, la spedizione giunse a fine aprile sull'altopiano etiopico. Prendemmo così contatto con le popolazioni Azebò-Galla e Uoggerat dalle quali durante l'ultima fase del viaggio avevamo avuto qualche attacco, subito rintuzzato dalle nostre armi. Le spiegazioni che avemmo con i capi valsero subito a dissipare la loro diffidenza ed essi tennero ad esternarci il rincrescimento per quello che era successo, dovuto in gran parte al non avere essi capito chi eravamo e quale fosse lo scopo della spedizione. Chiarito ogni equivoco, gli Azebò-Galla e gli Uoggerat espressero tutta la loro ammirazione per questo gruppo di Italiani che per primo aveva osato attraversare una regione tanto inospitale e finora chiusa agli Europei.

La pittoresca scorta del Galla

Colà la spedizione si scisse. Il grosso si diresse per Macallè all'Asmara, mentre con l'ing. Maglione e l'operatore Craveri, una leggera carovana e un plotone dei nostri ascari mi portai a Maicià per tentare la traversata del deserto dancalo meridionale e ritornare ad Assab per il Golima e il Terù. Tale decisione ci guadagnò definitivamente l'ammirazione delle popolazioni, meravigliate che tre Europei tentassero di attraversare per la seconda volta e nella stagione già caldissima, una zona mai percorsa da bianchi.

I capi locali vollero allora scortarci fino al Golima con i loro cavalieri e i loro armati. La spedizione così partì col seguito pittoresco di varie centinaia di uomini. La scorta ci lasciò in prossimità del Terù, ove contavamo esplorare quella interessantissima regione; senonchè l'improvvisa malattia dell'ingegnere Maglione, che dovemmo cominciare a trasportare in barella, ci costrinse ad abbandonare tale progetto e a metterci invece in cammino per raggiungere celermente la frontiera italiana.

Trovandoci però in prossimità dei luoghi ove avvenne il massacro della spedizione primitiva, esse temono sempre e ancora il ricordo dei quattordici morti invendicati. Il vecchio capo dette indicazioni particolareggiate a una nostra guida dancàla, raccontandomi che, dopo il massacro, i giovani che vi parteciparono non avrebbero voluto seppellire i morti, ma lasciarli in pasto alle jene. I capi si opposero per paura del Negus, e fu quindi, dopo lunga discussione, deciso l'interramento sommario. Le salme furono poste una accanto all'altra, come le dita d'una mano, in due tumuli separati.

Giunti sul posto, le indicazioni del vecchio capo risultarono esattissime e furono confermate da Dancali del luogo. I due tumuli di pietre che coprivano i cadaveri si trovavano vicino a due vecchie tombe dancale a forma piramidale, circondate dai ruderi d'una zeriba di pietre in località Egreri, a tre giorni di marcia a nord-est del Terù. Per Egreri passa un torrente dallo stesso nome.

Le reliquie alla luce

Con l'aiuto dei nostri ascari, ai quali spiegammo le ragioni unicamente morali e sentimentali di questa esumazione, iniziammo la mattina del 23 maggio i lavori. Essi si svolsero celermente perchè c'era da temere dai Dancali, e ci costarono fatica sovrumana. La temperatura elevatissima: 65 gradi sopra zero, arroventava pietre e strumenti, rendendo un inferno la vallata dell'Egreri.

Tolti tutti i sassi, le ossa dei quattordici Italiani rividero, dopo quarantotto anni, la luce; ma una luce diversa da quella che vide cadere la pattuglia eroica: la luce della Patria che oggi non lascia più abbandonati i suoi figli ma li segue nel mondo, anche dopo morti. La maggior parte delle ossa, calcinate dal tempo e dal sole equatoriale, i crani ripieni di terra, si frangevano alla semplice pressione delle mani. Solo i denti erano conservati molto bene; alcuni di essi, bei denti intatti di giovani sani, dicono ancora oggi la vigoria di quei marinai immolatisi per un ideale.

La guida dancàla uccisa

Raccogliemmo quello che si potè, e in presenza di armi italiane presentate in onore degli Eroi, le ossa furono messe religiosamente nel cotone e quindi in una cassetta avvolta nella bandiera della Patria lontana. La cerimonia fu semplice e rapida, quale poteva essere nello squallore della zona e sotto il morso tremendo del sole. Al rito di pietà e di omaggio volle assistere, malgrado le sue condizioni di estremo esaurimento, anche l'ingegnere Maglione, sorretto da due ascari. In tutti noi, pur induriti dai sacrifici di sei mesi di Danedlia, era viva la commozione e mai come quel giorno ci sentimmo vicini all'Italia, che era lì in tutti i nostri cuori.

Ci fermammo colà poche ore, per scolpire su di una pietra la scritta

trasportare in barella, ci costrinse ad abbandonare tale progetto e a metterci invece in cammino per raggiungere celermente la frontiera italiana.

Trovandoci però in prossimità dei luoghi ove avvenne il massacro della spedizione Giulietti, pensammo che se ne avessimo potuto raccogliere i resti gloriosi, la nostra missione avrebbe avuto la migliore e meno sperata conclusione. Trovammo molte difficoltà per avere in proposito notizie esatte. I Dancáli, diffidentissimi e superstiziosi, non volevano darci informazioni, anche perché pensavano volessimo vendicare i nostri Caduti. Finalmente, nel Terù, un vecchio capo dancálo che prese parte al massacro e assistette alla sepoltura dei quattordici Italiani, ci diede, con la promessa di forti regalie e sotto impegno di assoluto silenzio da parte nostra, preziose indicazioni, suffragate dal rituale e solenne giuramento sul Corano.

Un vecchio che vide la strage

Il vecchio capo però non volle accompagnarci, sia perché temeva di rivedere la località del massacro, che tutti i Dancáli evitano, sia per il timore di rappresaglie sulle sue genti. La memoria di quei valorosi è infatti ancora viva nelle popolazioni locali, ché nella loro superstidi sei mesi di Dancàlia, era viva la commozione e mai come quel giorno ci sentimmo vicini all'Italia, che era lì in tutti i nostri cuori.

Ci fermammo colà poche ore, per scolpire su di una pietra la seguente epigrafe:

Qui perì la spedizione Giulietti — Quattordici Italiani furono barbaramente trucidati — Cristiani scopritevi, musulmani fermatevi e salutate. — Tale epigrafe fu scritta in italiano, in amarico e in arabo.

La spedizione proseguì il suo viaggio. Ad Assab, da alcuni carovanieri, abbiamo saputo che quel Dancàlo che ci fece da guida fino alle tombe e che da noi si allontanò nottetempo è stato ucciso.

Raimondo Franchetti

CON LA SPEDIZIONE FRANCHETTI IN DANCALIA

In marcia nel deserto di lava arroventata

Il barone Franchetti ha narrato giorni fa ai lettori come, lasciato il grosso della spedizione nel paese degli Azebò-Galla, egli avesse con una carovana leggera riattraversato il deserto dancalo nella parte meridionale, giungendo ad Assab con i resti di Giulietti e dei suoi 13 compagni. Pubblichiamo ora una corrispondenza del nostro Pollera, il quale, alla testa del grosso della spedizione, ha proceduto verso l'altipiano etiopico.

Valle dell' Ererti, 16 aprile.

Il 6 aprile lasciammo le rive del lago Giulietti per attraversare la parte più arida e pericolosa della depressione dancala. Solo alla prima tappa trovammo acqua, che ci sembrò un po' meno salmastra, ma in compenso era assai carica di gesso. Nessuna pianta. Un mare in tempesta di lave nere e ferrigne, formanti nicchie, piccole grotte, crepacci orridi, pieni di rettili e di ragni velenosi mostruosamente grossi. Verso sud una distesa di sabbie bianche gessose a perdita d'occhio segna il vecchio fondo marino.

Il termometro non segna più

Questa località si chiama Mocolé, e per la prima volta mi venne fatto di pensare a quanto debba essere ingrata la vita delle scimmie, chè tali infatti dovevamo sembrare, accoccolati nelle anfrattuosità della lava, in cerca di un po' d'ombra. Ma che ombra! La lava si era addirittura arroventata; a toccarla scottava le mani, e il termometro, oltrepassati i cinquanta gradi, non segnava più. A quanti gradi eravamo? Un vento infuocato ci abbruciava le carni; le vesti leggere stesse ci sembravano un peso. Unica occupazione di quel giorno fu quella di bagnarci tratto tratto le vesti per poter respirare un po' meglio e di bere quasi ininterrottamente dei gran bicchieri d'acqua, senza mai riuscire ad estinguere la sete.

A sera proseguimmo. Dovevamo compiere quattro tappe senza acqua e, per quanto se ne portasse a dorso di cammello in botti di zinco, un razionamento era indispensabile. Ci era sembrato, nelle previsioni fatte, che cinque litri d'acqua per ogni indigeno e dieci per ogni europeo (compreso il consumo della cucina) dovessero bastare; ma tali previsioni si dimostrarono troppo ottimistiche. A quelle altissime temperature la quantità d'acqua che si ingerisce è enorme. Aggiungete che, essendo l'acqua salmastra, metteva più sete che mai. Rimpiangevamo perfino Mocolé, ove, malgrado tutto, di acqua potevamo disporre a volontà.

Specialmente penosa fu l'ultima tappa, prima di giungere ai pozzi di Garroblé, in regione Rorom. Qualche ascaro della scorta, non reggendosi più, cominciò a cadere o a rifugiarsi alla scarsa ombra di una rachitica mimosa. Camminando in testa alla carovana e preoccupato degli allungamenti che si producevano per la stanchezza del personale, dovevo a ogni tratto fermarmi per riunirla. Quella mattina la maggiore disciplina era più che mai necessaria per vincere le possibili difficoltà dell'arrivo.



amara e salmastra, una specie di acqua di Janos diluita e fangosa.

Occorsero sforzi non lievi per regolare la distribuzione di questa poca e cattivissima acqua, e quando il pozzo fu prosciugato si dovette ancora impedire con la forza e con le minacce di attingere la fanghiglia rimasta, per dar tempo alla lenta sorgiva di riformare un sufficiente deposito.

Il talismano contro i serpenti

La temperatura si era intanto elevata implacabile come nei giorni precedenti e le poche mimose esistenti presso quei pozzi, quasi prive di foglie, non davano ristoro. Sotto le tende sarebbe stato impossibile stare perché esse sembra concentrino il calore. Vennero impiegati le stuoie dei basti da cammello fissate ai rami, qualche coperta e gli ombrelloni da topografo, che si dimostrarono utilissimi per assicurare quel tanto di ombra che era indispensabile a evitare una insolazione.

Verso il tramonto si potè intraprendere l'escavazione del pozzo interrato dai razziatori. Un ascaro volonteroso si offrì di calarsi con una fune sul fondo, anche per accertare l'entità dell'interramento; ma quando questi avvertì di aver toccato terra, una poco piacevole sorpresa lo attendeva. Su quel fondo di sabbia una vipera si muoveva, destata forse dall'insolito rumore del sopravveniente. Non se ne commosse tuttavia l'ascaro, ma richiese ai compagni che l'osservavano dall'alto un talismano contro i serpenti. Fu subito accontentato; e il graduato della sua squadra si affrettò a calargli giù con un secchiello l'amuleto avvolto in cuoio, che portava al collo. Rassicurato pienamente, il soldato catturò viva la vipera già osservata, poi una seconda, e infine un enorme scorpione: esemplari tutti che, portati alla superficie, furono subito messi in alcool per conservarli.

Sgombrato il fondo del pozzo da questi incomodi inquilini e constatato che l'interramento misurava lo spessore presumibile di circa due metri, si potè iniziare lo scavo, che si protrasse per varie ore della notte. Ripreso al mattino, dette finalmente i sigliaron a sostare. Già due marce prima avevamo dovuto abbandonare otto grandi bidoni metallici per il trasporto dell'acqua e alcuni sacchi di orzo per i quadrupedi, per diminuire il carico dei cammelli rimastici. Senza un riposo era prevedibile che una buona metà dei cammelli sarebbe rimasta per via.

Delusione all' Ererti

Ripartimmo con la carovana da quell'inferno la sera del 10 aprile. Il barone con trenta ascari ci aveva preceduti partendo la notte innanzi. Dopo un'ora di marcia eravamo avvolti nella piena oscurità. Non vi era luna, non strada o sentiero tracciato, non possibilità di orientarci con la bussola, perché l'ubicazione del luogo che ci eravamo proposti di raggiungere il giorno successivo non era quella indicata dalla carta e perché alcune asperità del terreno ci costringevano a giri senza fine. Dovevamo seguire le guide. Chi ha visto una carovana di cammelli in marcia sa a quali allungamenti vada soggetta: un deviamento fortuito in quella oscurità poteva essere disastroso, e ogni cura venne impiegata perché la marcia avesse a procedere bene.

A tale scopo si dovettero distribuire diverse lanterne, scaglionandole lungo tutta la carovana in modo che le prime servissero a indicare la direzione seguita alle successive. Dalla testa della carovana, ove mi trovavo, veniva ogni tanto lanciato un razzo con una pistola Very e dalla retroguardia si rispondeva con ugual segnale in modo da poterne valutare la posizione e l'allungamento. Malgrado queste precauzioni perdemmo due asinelli carichi di provviste e un cammello carico di collezioni zoologiche, allontanatisi forse per brucare qualche cespuglio durante una sosta o in marcia. Verso la mezzanotte sostammo per riposare e riprendemmo il cammino all'alba.

Ci sorrideva il pensiero che al torrente Ererti avremmo trovato acqua corrente, che sognavamo limpida, fresca, buonissima. Delusione! Corrente propriamente in questa stagione non era; affiorava abbondante per lungo tratto; ma era anch'essa salmastra e amarognola sebbene in minor misura di quella incontrata precedentemente.

Allo stremo delle forze

Le elevatissime temperature, e più ancora l'azione deleteria di quelle acque gessose purgative, avevano più o meno prostrato le forze di ognuno, europei e indigeni; muletti e cammelli non stavano più in piedi per la stessa ragione; le provviste di viveri erano pressoché esaurite; dei rifornimenti che si sperava fossero stati avviati a Serreba da Mai Ciò, sull'Altipiano, nessuna notizia. Corrieri dancali colà inviati ritornarono avvertendo che niente vi era a Serreba, nemmeno gli abitanti del luogo, distrutto poco tempo prima dai razziatori. La caccia, sebbene più abbondante che altrove, non bastava a mantenere una carovana tanto numerosa.

Il barone Franchetti ch[illegible]

vevo a ogni tratto fermarmi per riunirla. Quella mattina la maggiore disciplina era più che mai necessaria per vincere le possibili difficoltà dell'arrivo.

Il pozzo interrato

Infatti la notte precedente, sostando ad Adoeiò, un Dancalo ci avvertì che il giorno prima i razziatori si trovavano ai pozzi di Garroblé ove eravamo diretti. Non sapeva se vi fossero rimasti per attenderci, ma anche nel caso che se ne fossero andati era da prevedere che avrebbero interrato i pozzi, assai profondi. Sostare per chiarire la situazione era impossibile per mancanza d'acqua; ritirarsi, oltre che difficile, non dignitoso e completamente da escludersi. Nessuno vi pensò nemmeno. La decisione quindi era stata di avanzare la mattina al più presto, conservando due barili d'acqua che furono a gran fatica economizzati sulla distribuzione della sera per poter dare qualche ristoro agli ascari in caso di effettivo attacco o di chiusura dei pozzi all'arrivo.

Franchetti aveva preceduto la carovana in avanguardia, come sempre, e, giunta una certa ora, pensando che non dovevamo essere ormai troppo lontani dai pozzi e rassicurato dal fatto che nessuna segnalazione di allarmi era giunta, decisi di distribuire anche quell'ultima riserva d'acqua per ristorare i più estenuati; e fu un bene, ché altrimenti parecchi non sarebbero giunti. A tre rimasti più indietro furono inviati ghirbe d'acqua e mezzi di trasporto, ma con grande sorpresa essi non furono rintracciati. Raggiungemmo così i pozzi di Garroblé, che il barone aveva trovati bensì sgombri, ma uno interrato e l'altro con poca acqua, tanto che l'interramento misurava lo spessore presumibile di circa due metri, si poté iniziare lo scavo, che si protrasse per varie ore della notte. Ripreso al mattino, dette finalmente i risultati desiderati perché fu possibile avere acqua abbondante per gli uomini e per i quadrupedi. Purtroppo anche questo pozzo non dava che acqua salmastra e purgativa.

Due uomini perduti

Durante il giorno dell'arrivo, varie pattuglie erano state inviate alla ricerca dei tre dispersi; si erano sparate varie salve a scopo di richiamo e a notte avevamo lanciato razzi luminosi e tenuto accesi fuochi permanenti, senza risultato. Solamente verso l'alba successiva uno dei dispersi raggiunse il campo trascinandosi a stento: sembrava inebetito e non riusciva a parlare. Soccorso, si riebbe; e dopo parecchie ore potemmo apprendere da lui che un suo compagno, in condizioni fisiche migliori, aveva cercato di aiutarlo, ma che avevano sbagliato la direzione di marcia e si erano senza volere allontanati. Impossibilitato a proseguire, egli lo aveva scongiurato di salvarsi e quello era partito in cerca di acqua e della carovana. A notte fatta vide i nostri segnali luminosi, non riuscendo pertanto a raggiungerci che al mattino sebbene la distanza fosse assai breve. Dell'altro suo compagno non si sono più avute notizie, come non si sono più trovate tracce di un cammelliere che i compagni dissero aveva dato segni di alterazione mentale.

Sarebbe stato desiderabile toglierci al più presto da quella località, ma il desiderio di ritrovare questi dispersi e la necessità improrogabile di dare riposo ai cammelli ci con-

luogo, attirato poco tempo prima dai razziatori. La caccia, sebbene più abbondante che altrove, non bastava a mantenere una carovana tanto numerosa.

Il barone Franchetti, chiamatomi, mi espose che, ben esaminata questa situazione e tenendo conto della forte moria dei cammelli, riteneva indispensabile far rientrare al più presto per la più corta via il grosso della spedizione, mentre egli, con scorta più limitata e una carovana leggera, si sarebbe avvicinato a Mai Ciò, ove erano predisposti i rifornimenti, ed avrebbe di là fatto ritorno ad Assab visitando la valle del Golima e il Terù. Questa decisione, sebbene giustificata dalle circostanze, mi addolorò molto e lo scongiurai di voler procedere insieme con noi almeno fino a che non si fossero raggiunti i rifornimenti; poi si sarebbe deciso il da farsi. Ma egli fu irremovibile, dandomi l'incarico di guidare a Macallè e all'Asmara i rimpatrianti.

Alberto Pollera

RM RECD

EMBASSY OF THE
UNITED STATES OF AMERICA

DEPARTMENT OF STATE
SRVL

ROME, June 27, 1929.

No. 2364.

FOR DISTR...

TREATY DIVISION
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JUL 11 1929

INDEX BUREAU
884.154/22

The Honorable

The Secretary of State,

Washington.

Sir:

4.13 F/17

With reference to my despatch No. 2310 of May 29th transmitting copies of Mussolini's Reports to the Chamber of Deputies on the conversion into law of the decrees giving execution to the Italo-Abyssinian motor road convention and the Italo-Abyssinian Treaty of Friendship, Conciliation, and Arbitration, I have the honor to forward herewith, in order to complete the Department's files, the Senate Reports on these subjects (Senate Documents Nos. 139A and 162A).

FILED
AUG 6 - 1929 D

I have the honor to be, Sir,

Your obedient servant,

Henry P. Fletcher.

Enclosures:

Reports as above.

SENATO DEL REGNO (N. 139-A)

RELAZIONE DELL'UFFICIO CENTRALE

COMPOSTO DEI SENATORI

SAILER, *presidente*, BACCELLI ALFREDO, *segretario*, ARTOM, CITO FILOMARINO, BONGIOVANNI, CARLETTI *e* SODERINI, *relatore*

SUL DISEGNO DI LEGGE

presentato alla Camera dei Deputati dal Capo del Governo Primo Ministro Segretario di Stato Ministro degli Affari Esteri e delle Colonie

TRASMESSO DAL PRESIDENTE DELLA CAMERA DEI DEPUTATI ALLA PRESIDENZA DEL SENATO
L'11 GIUGNO 1929 - ANNO VII

Conversione in legge del Regio decreto-legge 9 dicembre 1928, n. 3302, che dà esecuzione alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis Abeba il 2 agosto 1928, per la costruzione di una strada automobilistica e per la concessione al Governo Etiopico di una zona franca ad Assab

ONOREVOLI COLLEGHI. — Il 2 agosto 1928, quando si firmava il Trattato di amicizia, conciliazione e arbitrato tra il Regno d'Italia e l'Impero Etiopico, veniva contemporaneamente firmata una Convenzione per la costruzione di una strada automobilistica da Assab a Dessiè e per la concessione al Governo Etiopico di una zona franca nel porto di Assab.

A ognuno di voi è noto come il nuovo indirizzo dato dal Governo Fascista alle nostre Colonie dell'Africa orientale abbia trovato una efficace rispondenza nei progressi che, dal canto suo, il Governo Etiopico va compiendo nei molteplici campi del suo sviluppo. Da qui la necessità d'intensificare sempre più i traffici tra i due Paesi. A questo intento appunto tende la suddetta Convenzione per la quale si stabilisce la costruzione della strada automobilistica da Assab a Dessiè e si concede al Governo Etiopico una zona franca nel porto di Assab, nell'intesa che queste due condizioni dovranno essere inseparabilmente adempiute. Come è facile intuire, la costruzione della strada tende ad incanalare verso il porto di Assab il commercio delle regioni dell'Abissinia settentrionale ed a favorire perciò stesso lo sviluppo di queste regioni. La concessione della zona franca poi ad Assab nel permettere anche all'Etiopia uno sbocco sul mare e nuovi contatti con la civiltà mediterranea, è destinata ad aumentare il movimento e l'importanza di quel nostro porto. I reciproci vantaggi che

Tipografia del Senato.

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TO THE INDEX BUREAU

la Convenzione tende ad assicurare ad ambedue i contraenti sono talmente evidenti da non aver bisogno di ulteriori dimostrazioni.

Come già per il Trattato di amicizia, così anche per la presente Convenzione, vista l'urgenza di darle pronta esecuzione, si provvide mediante Regio decreto-legge 9 dicembre 1928, n. 3302, che occorre ora convertire definitivamente in legge.

Di tale legge vi presentiamo il testo, al quale il vostro Ufficio centrale confida vorrete dare la vostra approvazione.

Addì 20 giugno 1929 - Anno VII.

SODERINI, *relatore*.

DISEGNO DI LEGGE

Articolo unico.

È convertito in legge il Regio decreto-legge 9 dicembre 1928, n. 3302, che dà esecuzione alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis Abeba il 2 agosto 1928, per la costruzione, da parte del Regio Governo, di una strada automobilistica da Assab al confine etiopico, e, da parte del Governo Etiopico, di una strada automobilistica da detto confine a Dessié, e per la concessione, da parte del Regio Governo al Governo Etiopico, di una zona franca ad Assab.

ALLEGATO.

Regio decreto-legge 9 dicembre 1928, n. 3302, pubblicato nella Gazzetta Ufficiale *n. 23 del 28 gennaio 1929.*

VITTORIO EMANUELE III
per grazia di Dio e per volontà della Nazione
RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'articolo 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata ad Addis Abeba il 2 agosto 1928, per la costruzione di una strada automobilistica, e per la concessione di una zona franca ad Assab;

Udito il Consiglio dei ministri;

Sulla proposta del Capo del Governo, Primo Ministro segretario di Stato, ministro segretario di Stato per gli affari esteri, di concerto col ministro per le colonie;

Abbiamo decretato e decretiamo:

Art. 1.

Piena ed intera esecuzione è data alla Convenzione fra il Regno d'Italia e l'Impero Etiopico, firmata in Addis Abeba il 2 agosto 1928, per la costruzione, da parte del Regio Governo, di una strada automobilistica da Assab al confine etiopico e, da parte del Governo Etiopico, di una strada automobilistica da detto confine a Dessiè, e per la concessione, da parte del Regio Governo al Governo Etiopico, di una zona franca ad Assab.

Art. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore contemporaneamente al Trattato di amicizia, conciliazione ed arbitrato fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis Abeba il 2 agosto 1928 - VI.

Il ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928-VII.

VITTORIO EMANUELE

MUSSOLINI — FEDERZONI.

Visto il Guardasigilli
ROCCO.

IL REGNO D'ITALIA E L'IMPERO ETIOPICO

Hanno convenuto e stipulano la seguente convenzione:

Art. 1.

Questa convenzione è fatta per due scopi: la costruzione di una strada automobilistica da Assab a Dessiè e la concessione al Governo Etiopico di una zona franca nel porto di Assab. Questi due obblighi dovranno essere inseparabilmente adempiuti.

Art. 2.

Allo scopo di ampliare il commercio tra i due Paesi, il Governo Etiopico costruirà il tratto di detta strada in territorio etiopico da Dessiè fino al confine italiano verso Assab.

Il Governo italiano da parte sua costruirà il rimanente tratto di strada dal porto di Assab fino al confine etiopico.

Il Governo Etiopico potrà costruire a proprie spese il tratto di strada nel suo territorio, oppure a mezzo di una Società cui esso Governo Etiopico si riserva di concedere, con atto da esso stesso definito, tale costruzione. Se i lavori saranno eseguiti a mezzo di una Compagnia, il Governo Etiopico potrà partecipare a tale Compagnia in qualità di azionista.

Art. 3.

Per il trasporto delle merci e dei passeggeri con automezzi sulla strada camionabile Assab-Dessiè sarà formata una Compagnia italo-etiopica. Il Governo Etiopico potrà fornire direttamente la sua quota del capitale della Compagnia o farla sottoscrivere per azioni da altri. Soltanto questa Compagnia italo-etiopica avrà la concessione del trasporto delle merci e dei passeggeri su questa strada e ciò non verrà concesso ad altre Compagnie.

Art. 4.

Nel porto di Assab il Governo italiano darà in concessione al Governo Etiopico per anni centotrenta una zona di terreno in località conveniente all'approdo delle navi, nell'interno della città od all'esterno di essa, secondo la scelta che il Governo Etiopico farà tra le due zone propostegli da quello italiano.

La superficie della zona sarà di seimila metri quadrati se nell'interno della città e di trentamila metri quadrati se all'esterno di essa. Il Governo Etiopico potrà mutare secondo la convenienza la lunghezza e la larghezza di questa zona. E ciò ad esclusione del mare.

Se in avvenire la zona franca prescelta dal Governo Etiopico risulti insufficiente allo sviluppo degli interessi etiopici, il Governo italiano accoglierà benevolmente una eventuale domanda da parte del Governo Etiopico per l'aumento della detta zona.

Tuttavia se la zona prescelta sarà quella dei seimila metri quadrati, l'aumento della estensione sarà soltanto quale risulterà possibile concedere in relazione alla località stessa, data la scarsa disponibilità di terreno in quel settore.

Questa zona di terreno sarà completamente delimitata da una Commissione di esperti scelti dai due Governi ed ai confini di essa saranno posti dei segnali.

Per tale zona concessagli il Governo Etiopico pagherà al Governo italiano annualmente un tallero Maria Teresa d'affitto.

Il Governo Etiopico potrà costruire nella zona franca un deposito per merci che saranno esenti da qualsivoglia dazio doganale, le altre costruzioni necessarie alla gestione dei depositi e tutte le altre case che saranno necessarie, approntarvi ogni utile lavoro, metterla in valore in modo da ampliare gli utili pecuniari che possono esserne ricavati e farvi ogni conveniente cosa o di speciale utilità.

Il Governo Etiopico avrà facoltà di costruire sull'area del deposito, od in collegamento con essa mediante un passaggio da stabilirsi, un pontile a mare ad uso dell'Etiopia. A detto pontile potranno approdare le navi del Governo Etiopico e le navi di commercio di altri

Stati. Il Governo Etiopico avrà un diritto di passaggio per tutto ciò che farà transitare dal pontile al deposito su indicato e da esso al punto di intersezione del confine italo-etiopico della strada che sarà costruita secondo il disposto di cui all'articolo secondo, sotto riserva dell'osservanza delle convenzioni internazionali.

Art. 5.

Prima che si inizino i lavori pel compimento degli obblighi derivanti dalla presente convenzione, la Commissione degli esperti di cui all'articolo quarto definirà quanto segue:

Primo: Stabilirà dettagliatamente tutte le questioni circa i lavori e le spese per i lavori seguenti:

a) I lavori della strada, la sua organizzazione ed il modo di metterla in valore.

b) La costituzione della Società per i trasporti automobilistici, la questione delle entrate e quella degli obblighi che dovranno essere adempiuti dalla Compagnia.

c) Quanto è necessario alla costruzione ed alla manutenzione della strada.

d) La scelta dei tecnici e degli operai specialisti per i lavori.

e) Le tasse e dogane da pagare per la strada.

Secondo: Stabilirà i regolamenti locali, tutta la competenza giudiziaria e quanto è connesso con l'applicazione dell'articolo sesto per la zona franca.

Art. 6.

Pur non portando alcuna limitazione all'applicazione delle leggi e dei regolamenti italiani, le eventuali contestazioni sorte tra i funzionari del Governo Etiopico che dimorino nella zona franca potranno essere giudicate dal locale rappresentante di quel Governo, secondo norme e disposizioni emanate dello stesso Governo Etiopico.

Art. 7.

Gli impegni della presente Convenzione diventeranno reciprocamente efficienti quando le Alte Parti contraenti abbiano entrambe eseguiti i rispettivi obblighi e quando i due Governi avranno approvato le conclusioni della Commissione degli esperti.

Art. 8.

Le disposizioni della presente Convenzione avranno vigore per tutta la durata della concessione della zona franca. Tuttavia se durante questo tempo le Alte Parti contraenti lo riterranno necessario potranno d'accordo modificarne le disposizioni secondo le possibilità e le opportunità del momento.

Art. 9.

Allo scadere di questa Convenzione il Governo Etiopico avrà la facoltà dal Governo italiano di conservare in proprietà privata alle condizioni degli altri proprietari terrieri di Assab tutti gli immobili da esso costruiti nella zona franca concessagli nel porto di Assab.

Art. 10.

Allo scadere della presente convenzione i due Stati contraenti potranno d'accordo rinnovarla.

Fatto in duplice copia nelle due lingue ufficiali italiano ed amarico, essendo i due testi identici; una copia resterà nelle mani del Governo italiano ed una nelle mani del Governo etiopico.

Il Commendatore Giuliano Cora, Ministro Plenipotenziario di Sua Maestà il Re d'Italia, in nome del Governo italiano, e S. A. Tafari Maconnen, Erede del Trono e Reggente dell'Impero Etiopico, in nome del Governo Etiopico, lo hanno firmato e sigillato coi loro sigilli.

Addis Abeba 2 agosto 1928-Anno VI (il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia).

L'Erede al Trono di Etiopia
(*L. S.*) TAFARI MACONNEN.

(*L. S.*) GIULIANO CORA.

Visto, d'ordine di Sua Maestà il Re:

p. *Il Ministro degli Affari esteri*
GRANDI.

SENATO DEL REGNO (N. 162-A)

RELAZIONE DELL'UFFICIO CENTRALE

COMPOSTO DEI SENATORI

SAILER, *presidente*, ARTOM, *segretario*, CITO FILOMARINO, D'AMELIO, BONGIOVANNI, CARLETTI *e* SODERINI, *relatore*

SUL DISEGNO DI LEGGE

presentato alla Camera dei Deputati dal Capo del Governo Primo Ministro Segretario di Stato, Ministro degli Affari Esteri

TRASMESSO DAL PRESIDENTE DELLA CAMERA DEI DEPUTATI ALLA PRESIDENZA DEL SENATO
IL 14 GIUGNO 1929 - ANNO VII

Conversione in legge del Regio decreto-legge 9 dicembre 1928, n. 3303, che dà esecuzione al Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis Abeba il 2 agosto 1928.

ONOREVOLI COLLEGHI. — Con ogni ragione, nell'altro ramo del Parlamento è stato asserito che la vicinanza delle nostre colonie dell'Africa orientale all'Impero Etiopico doveva far sentire ad ambedue le parti la necessità di consacrare con un patto le buone relazioni fra i due Stati.

A rendere queste sempre più strette ed amichevoli, si ebbe nella primavera del 1927 la visita di S. A. R. il Duca degli Abruzzi nella capitale dell'Etiopia. Con ciò furono facilitate quelle intese, che nel pensiero dei due Governi dovevano condurre ad un vero e proprio Patto di alleanza.

Il 2 agosto 1928 venne firmato in Addis Abeba dai plenipotenziari dei due Governi un Trattato di amicizia, conciliazione ed arbitrato. In base a tale Trattato, i due Stati si sono impegnati a non far nulla che possa comunque nuocere all'indipendenza reciproca e valga invece a fare sviluppare sempre maggiormente il commercio tra i due paesi, commercio che deve tornare proficuo al progresso economico di ambedue.

Ad assicurare sempre meglio gli effetti del Trattato, è stato sancito l'impegno di sottoporre ad una procedura di conciliazione o di arbitrato le questioni che potessero sorgere fra le parti e non si fossero potute risolvere con gli ordinari mezzi diplomatici.

Solo che si pensi al grande sviluppo che all'Impero Etiopico vien dato dalla guida energica e prudente del Negus Tafari, si comprenderà quanto utile ed interessante fosse per l'Italia inoltrarsi più francamente su questo nuovo campo di proficua attività.

Onorevoli colleghi, poichè in vista dell'ur-

Tipografia del Senato.

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TO THE INDEX BUREAU

genza di mettere il Trattato in atto, è sembrato opportuno provvedervi a mezzo del decreto-legge 9 dicembre 1928, n. 3303, il vostro Ufficio centrale, ravvisando l'utilità di convertire tale decreto-legge in legge definitiva, v'invita a volerle dare la vostra approvazione.

Addì 20 giugno 1929-Anno VII.

SODERINI, *relatore*.

DISEGNO DI LEGGE

Articolo unico.

È convertito in legge il Regio decreto-legge 9 dicembre 1928, n. 3303, che dà esecuzione al Trattato di amicizia, conciliazione ed arbitrato fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis Abeba il 2 agosto 1928.

ALLEGATO.

Regio decreto-legge 9 dicembre 1928, n. 3303, pubblicato nella Gazzetta Ufficiale *n. 23 del 28 gennaio 1929.*

VITTORIO EMANUELE III

PER GRAZIA DI DIO E PER VOLONTÀ DELLA NAZIONE

RE D'ITALIA

Visti gli articoli 5 e 10 dello Statuto fondamentale del Regno;

Visto l'art. 3, n. 2, della legge 31 gennaio 1926, n. 100;

Ritenuta la necessità urgente ed assoluta di dare esecuzione al Trattato di amicizia, conciliazione e arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928, anno VI;

Udito il Consiglio dei ministri;

Sulla proposta del Capo del Governo, Primo ministro segretario di Stato, ministro segretario di Stato per gli affari esteri;

Abbiamo decretato e decretiamo:

Art. 1.

Piena ed intera esecuzione è data al Trattato di amicizia, conciliazione ed arbitrato, fra il Regno d'Italia e l'Impero Etiopico, firmato in Addis-Abeba il 2 agosto 1928, anno VI.

Art. 2.

Il presente decreto, che sarà presentato al Parlamento per la sua conversione in legge, entrerà in vigore all'atto dello scambio delle ratifiche del Trattato di cui all'articolo precedente.

Il ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 9 dicembre 1928 – Anno VII.

VITTORIO EMANUELE

MUSSOLINI.

Visto, *il Guardasigilli:* ROCCO.

SUA MAESTÀ VITTORIO EMANUELE III RE D'ITALIA

E

SUA MAESTÀ ZAUDITÙ IMPERATRICE DI ETIOPIA

Hanno voluto che l'amicizia dei Loro due Stati divenga più salda e durevole e che le relazioni economiche tra i due Paesi vadano ampliandosi.

Perciò il Comm. GIULIANO CORA, Ministro Plenipotenziario del Regno d'Italia in nome di SUA MAESTÀ VITTORIO EMANUELE III e Suoi Successori, e SUA ALTEZZA IMPERIALE TAFARI MACONNEN, Erede del Trono e Reggente dell'Impero Etiopico, in nome dell'IMPERATRICE ZAUDITÙ in nome Suo personale e dei Loro Successori.

Hanno convenuto quanto segue:

ARTICOLO PRIMO.

Vi sarà pace costante ed amicizia perpetua fra il Regno d'Italia e l'Impero Etiopico.

ARTICOLO SECONDO.

I due Governi si impegnano reciprocamente a non compiere, sotto alcun pretesto, alcuna azione che possa nuocere o ledere l'indipendenza dell'altro, ed a salvaguardare gli interessi dei loro rispettivi Paesi.

ARTICOLO TERZO.

I due Governi si impegnano ad ampliare ed a far prosperare il commercio esistente tra i due Paesi.

ARTICOLO QUARTO.

I cittadini, sudditi e protetti italiani al loro stabilimento in Etiopia e gli etiopici al loro stabilimento in Italia e sue Colonie, per il loro commercio ed il loro lavoro, necessità di vita e di sussistenza e per tutto ciò che riguarda l'esercizio delle loro professioni, del loro commercio e del loro lavoro sono tenuti all'osservanza ed al rispetto delle leggi dello Stato in cui dimorano.

Resta inteso che continueranno ad essere applicate ai cittadini sudditi e protetti italiani in Etiopia le disposizioni dell'art. 7 del Trattato tra l'Impero Etiopico e la Repubblica Francese, concluso il 10 gennaio 1908, fino a che quest'ultimo trattato resterà in vigore.

ARTICOLO QUINTO.

I due Governi si impegnano a sottoporre ad una procedura di conciliazione o di arbitrato le questioni che sorgeranno tra di loro e che non abbiano potuto essere risolte con i normali mezzi diplomatici, senza aver ricorso alla forza delle armi. Tra i due Governi di comune accordo saranno scambiate note circa il modo di scegliere gli arbitri.

ARTICOLO SESTO.

Il presente Trattato, da registrarsi alla Società delle Nazioni, sarà ratificato e lo scambio delle ratifiche avrà luogo ad Addis Abeba il più presto possibile.

ARTICOLO SETTIMO.

Il presente Trattato avrà la durata di venti anni allo scambio delle ratifiche. Allo spirare di tale termine esso sarà rinnovabile di anno in anno.

Fatto in duplice copia e di identico tenore nelle due lingue ufficiali italiana ed amarica, una delle copie resta nelle mani del Governo italiano e l'altra nelle mani del Governo Etiopico.

Addis Abeba 2 agosto 1928 – Anno VI. (Il giorno 26 del mese di hamlé dell'anno 1901 della Misericordia).

L'Erede del Trono di Etiopia

(*L. S.*) GIULIANO CORA.

(*L. S.*) TAFARI MACONNEN.

Visto, d'ordine di Sua Maestà il Re:

p. *Il ministro degli affari esteri*

GRANDI.

RECD
INDEX BUREAU
DEPT. OF STATE
JUL 17 29

LEGATION OF THE
UNITED STATES OF AMERICA
Addis Ababa,
Ethiopia.

June 17th, 1929.

CONFIDENTIAL.

ASSISTANT SECRETARY OF STATE
DEPARTMENT OF STATE
JUL 31 1929
A-C/O

No. 208.

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CB.

DEPARTMENT OF STATE
NEAR EASTERN AFFAIRS

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the subject of the Italian concession for a road from Assab on the Red Sea in to the Ethiopian trading center of Dessie, which has been variously reported on from both the Legation and the Consulate General.

From a recent conversation with my Italian colleague I infer that somewhat of a deadlock has been reached in discussions concerning the proposed construction of the road. The Ethiopians insist that they shall control the road and the Italians, who are expected to provide the money, feel that they should

have

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FILED
AUG 2 1929

have sufficient control to arrange at least for a refunding of the cost. The Ethiopians are, of course, suspicious of any foreign attempt to control anything connected with their country and, notwithstanding the recent much advertised treaty of love and friendship, they remain inherently suspicious of the Italians.

This difficulty over the control and financing of the road is only one of many difficulties which have been referred to in reports from this office intimating skepticism as to any substantial result before many years from the Italo-Ethiopian convention of August 2nd, 1928, about which convention there has been so much intensive and boastful propaganda from Italian sources. There is no intention on the part of this office to represent that practical development of the Assab-Dessie road is certain to fail. There are, however, so many economic, financial, and political difficulties to be overcome that such development at any time within the next few years doesn't look nearly so promising as our Italian friends appear to wish the world to believe. Their alleged victory in signing the treaty and convention of August 2nd, 1928, with Ethiopia, is still open to strong suspicion of being a more or less hollow one.

I have the honor to be, Sir,

Your obedient servant,

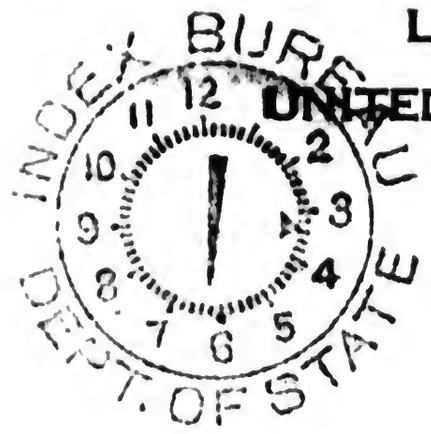
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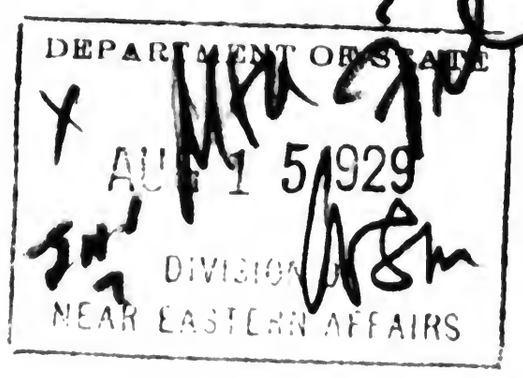


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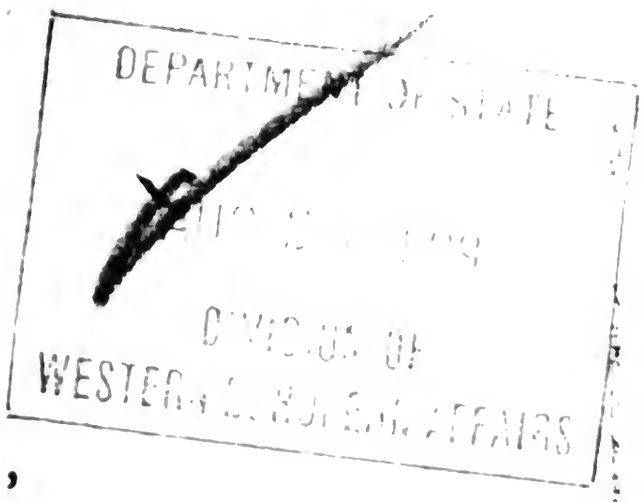
LEGATION OF THE
UNITED STATES OF AMERICA

Addis Ababa,
Ethiopia.

July 12th, 1929.



No. 225.



The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to report, as of general interest in weighing a certain Ethiopian attitude towards the economic development of their country, the following situation.

My French colleague informs me that he has for some time been endeavoring to procure Ethiopian consent to the construction of a number of highways in the zone of the Franco-Ethiopian railway to serve as feeders to the railway and develop traffic. The French have proposed no definite plan but have placed the matter before the Ethiopian Government in general terms. The French

Legation

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884.154/24
FILED
AUG 28 1929

Legation has finally given up the project for the time as the Ethiopians cannot be moved from their insistence that the French must pay them for the privilege of building such roads. In other words my French colleague states that the probable amount of "backsheesh" required to obtain Ethiopian consent would eat up the profits of the proposed development.

This experience of the French does not fit in exactly with the statements made to me by the King as to his desire and eagerness to develop road building in Ethiopia, but I cannot well doubt the statements of my French colleague as there appears no probable purpose for his desiring to give me a wrong impression. It is, of course, possible that the King does not wish to give such concessions to the French on the basis of political reasons and has placed the financial obstacle in the way as the least embarassing method of evading the issue for the time being. Indirection is a well established prccedure in Ethiopian dealing with foreign interests as well as with each other.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

DOCUMENT FILE

NOTE

DEPARTMENT OF STATE
JAN - 3 1930
DIVISION OF
NEAR EASTERN AFFAIRS

884.6461/154
INDEX BUREAU

SEE 884.6461-Tsana Dam/120 FOR # 256

FROM Abyssinia (Southard) DATED September 4, 1929.
TO NAME

1—1127

REGARDING: conversation with Italian Minister whose pessimism as to King's attitude in Tsana Dam matter is inspired somewhat from his own failure to get definite action in the matter of the proposed Assab-Dessie road.

mb

I did, however, deduce from my colleague's conversation that his pessimism as to the King's attitude in the Tsana matter is inspired somewhat from his own disappointing experience in endeavoring over the period of a year to get definite Ethiopian action in the matter of the proposed Assab-Dessie road. Every Italian effort has been extended in getting action in that matter but there is yet no real indication that actual construction work will be authorized by the Ethiopians for a long while to come. Mr. Cora has had his home leave deferred for many months with the hope that he could finish the Assab road matter, but he is now about ready to concede that there is no prospect of near developments. He intimates that he has one more card to play, presumably the usual financial or gift of war munitions inducement, the success of which ought to be decided before the end of October.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

DOCUMENT FILE

NOTE

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884.77/1488

SEE 884.77-Franco-Ethiopian/15 FOR # 278

FROM Abyssinia (Southard) DATED October 16, 1929.
TO NAME

1—1127

REGARDING:
the washout of a bridge on the Franco-Ethiopian Railway and its adverse effect on Ethiopian trade. Repairs have been practically completed.

mb

Addis Ababa,
Ethiopia.

October 16th, 1929.

No. 278.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's No. 255 of July 30th, 1929, reporting the washout in July of a bridge on the Franco-Ethiopian Railway with consequent interruption of postal, passenger and freight communication between Addis Ababa and the port of Djibouti.

Reconstruction of the bridge is now practically completed and the first train is expected to pass over it on October 20th, 1929. Since the washout late in July trains have been run to one edge of the break and passengers have walked, and mail has been carried, across to a waiting train on the other side. The railway journey

takes

takes one day from Djibouti to Diré Daoua where the train rests over night. The washout occurred forty miles this side of Diré Daoua and has made the trains late arriving at Acuasho where the second night of the journey of three days is spent.

While passengers and mail have moved with reasonable regularity shipments of freight have been limited practically to smaller pieces which could be carried by man power over the break. There has been serious interruption to business of which the most important effects have been weakening of the exchange value of the local trade dollar and diminution in the cash revenue of the Ethiopian Government from customs duties. The Ethiopians say that their loss in revenue has amounted to the equivalent of a hundred thousand American dollars per month but as no statistics on the subject are published or given their oral statements must be accepted as authoritative.

The exchange weakness of the dollar would have been favorable to the merchants who buy local produce for export had freight traffic not been interrupted by the destruction of the railway bridge. On the other hand the weakness of the dollar has been very detrimental to import trade, but in the absence of reliable statistics for the period only this general statement can be made. The interruption is thought to have caused no direct loss or derangement to the comparatively small amount of American trade with Ethiopia. The only American

import

import commodity concerned to any extent is that represented by motor vehicles, and that particular trade has lately been in the delirums because of delay in local highway construction.

With the restoration of through railway traffic there is expected to be a general revival of trade. The detailed effect of this interruption to railway traffic will be discussed in the annual report from the Consulate General at which time it is expected that there shall have become available at least some tangible statistical and other data. The Franco-Ethiopian Railway is practically the only means of regular postal, passenger and freight connection possessed by Ethiopia with the outside world and any interruption looms important in local news although it may be of little interest internationally because of the yet comparatively insignificant volume of Ethiopian foreign trade and communication.

I have the honor to be, Sir,

Your obedient servant,

ADDISON E. SOUTHARD.

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Aea/sid.